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ABSTRACT

This report and its appendixes are the products of a 50-state study of current legal standards for public elementary and secondary education and represent a summary and comparative analysis of the law as it exists in the states today. State education policy-makers--state legislators and staff of legislative reference services, department of education personnel, university faculty members, lawyers and jurists, members of private educational organizations--should find the study useful both in re-examining the education laws of their own state and in developing new or alternative mechanisms for providing high quality public education. The bulk of the report consists of a series of 20 comparative charts and the descriptive materials that relate to them. The charts are designed to provide a quick method for comparing the manner in which each state treats a particular subject. The 20 areas covered in the charts are admission requirements, adult education, attendance enforcement agent, attendance requirements, curriculum, extracurricular activities, grade organization, guidance and counseling programs, high school graduation requirements, individual pupil records, inservice training, libraries, promotion requirements, pupil load/class size, pupil-teacher ratio, pupil transportation, safety and health requirements, school calendars, teacher personnel policies, and textbooks. (Author/IRT)

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A STUDY OF STATE LEGAL STANDARDS FOR THE PROVISION OF PUBLIC EDUCATION

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Prepared for
THE NATIONAL INSTITUTE OF EDUCATION

By
THE LAWYERS' COMMITTEE FOR CIVIL RIGHTS UNDER LAW

EA 008 318

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CIVIL RIGHTS UNDER LAW

October 1974

FOREWORD

The National Institute of Education is pleased to make available this summary of A Study of State Legal Standards For the Provision of Public Education. The study was conducted by the Lawyers' Committee for Civil Rights Under Law under a grant from the Institute. The Study is an effort to collect, categorize and compare current law on elementary and secondary education in all fifty states.

For the first time there exists a compendium of state constitutional, statutory, regulatory and administrative provisions relating to education. With increasing legislative demands for educational accountability and with mounting court-mandated requirements for educational adequacy, the need for such a compendium is evident.

The Study should be of subtantial value to educational policy-makers in each state. This summary report compares legal standards which define educational adequacy. Separate reports for each of the fifty states and detailed reports for each of thirty-seven areas of legal standards are also being made available. Under a follow-up grant from the Institute, the Lawyers' Committee is developing a set of model legislative and administrative standards for public education. These efforts were undertaken to be of benefit to legislators, their staffs, state department of education personnel, educators, academicians, lawyers, jurists and the public. The Institute would appreciate reactions to the utility of these efforts.

The ultimate beneficiaries of these efforts are the school-children of this Nation. The National Institute of Education will pursue a variety of approaches to the question of how legal definitions of educational adequacy correspond to the teaching/learning process in the Nation's schools.

Arthur E. Wise
Associate Director for Research

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PREFACE

The Advisory Committee is proud to have been asked to play a role in this significant first step in setting out a comparative analysis of the fifty-state study of the legal standards for the operations of public elementary and secondary schools.

Our initial reaction was that the task was impossible. This was our conclusion as we faced the incredible volume of materials, the lack of comparability between states, and the knowledge that many states had never indexed or even compiled their regulations and administrative codes in any comprehensible fashion. However, our conviction about the necessity of the project, the commitment of the Lawyers' Committee, and the enthusiasm of the staff overcame our reservations. They have succeeded beyond our expectations.

This report is only a beginning. The rapidity of change in statutes and regulations, the explainable gaps in the data and the necessity of limiting somewhat the scope of the project, call for continued updating and expansion of its scope by interested scholars and researchers. We hope that financing for such maintenance efforts will be made available quickly.

We also hope that state departments of education, educators, legislators and lawyers take seriously the charge that they have an obligation to analyze their own legal standards with the understanding that their actions will directly effect the quality of education for their public school children.

William Colman
Luvern L. Cunningham
Carl L. Marburger
Ray Peterson
Paul L. Tractenberg

CHAPTER I

INTRODUCTION

The following report is a summary of the research findings of a project funded by the National Institute of Education and conducted by the Lawyers' Committee for Civil Rights Under Law. The report and its appendices are the products of a fifty-state study of current legal standards for public elementary and secondary education, and represent, for the areas studied, a summary and comparative analysis of the law as it exists in the states today.

Although this document is in the form of a Final Report to the National Institute of Education, it is intended for a much broader audience. State education policy makers - state legislators and staffs of legislative reference services, department of education personnel, university faculty members, lawyers and jurists, members of private educational organizations - all should find the study useful both in re-examining the education laws of their own state and in developing new or alternative mechanism for providing high quality public education. This project was intended as a starting point - a basis for further and more intensive examinations of education standards in the states - and was undertaken with the hope that it would provide the impetus for constructive reform on all levels in the public education delivery system.

BACKGROUND

For several years a debate has been raging in the nation's courts, legislatures and universities on how best to provide equal educational opportunity to children in the public schools. Evidence of the controversy can be seen in court-ordered desegregation, student rights movements, increased demands for compensatory and special education services, school finance litigation and legislative reform efforts. Much of the debate has proceeded from the assumption that there exists some generally accepted legal definition of a minimum level of educational adequacy that can provide a threshold for measuring equal educational opportunity.

Along with new directions for the school finance reform movement has come a challenge to the assumption that the legal definition of an adequate education is clear-cut or provides measurable standards. During the argument in the United States Supreme Court in Rodriguez v. San Antonio Independent School District, the counsel for the defendant assured the Court that the

Texas school finance system provided for an adequate minimum education for all school children in the state. In its opinion upholding the validity of the finance system, the Court accepted that assurance without coming to grips with what it might imply about the standards for education that existed in Texas. The New Jersey Supreme Court faced the question more squarely in its decision in Robinson v. Cahill, in which it held that it was the responsibility of the state and its education policy-makers to provide a definition of "a thorough and efficient" education, and to design and implement a school finance system that would assure each child the opportunity to receive that kind of education.

The constitution of nearly every state places some obligation on the legislature to maintain a system of public schools. For the most part the standards found in these constitutional mandates are brief and general like New Jersey's requirement for a "thorough and efficient" education. But in addition to such constitutional provisions, every state has a long and complex body of education law, consisting of statutes as well as administrative rules and regulations promulgated by state education agencies and officials. In studying these bodies of law we intend neither to endorse the standards that they set up, nor to suggest that they represent comprehensive statements of what is required under the constitutions of the fifty states. Instead, we hope to provide a starting point for thinking about a state's obligation to provide an adequate standard of educational quality.

PURPOSES

The school laws of the fifty states—constitutional, statutory and administrative—contain the legal materials that indicate how states have delineated their educational responsibilities up to this point in time. In approaching the task of ensuring access to equal educational opportunity through judicial challenges to inequitable school finance systems, we found, however, that there had been no systematic or comprehensive effort made to summarize or compare the minimum educational standards that exist now in the states in most areas. The Lawyers' Committee realized how important such an effort could be for state legislators and policy-makers, academicians and jurists who were involved in the re-examination of the adequacy of these standards and the development of new standards and definitions of education consistent with a state's constitutional obligation. As a result, we submitted to the National Institute of Education a proposal to undertake a national study of legally-enforceable state education standards. Since July 1, 1974 the project has been surveying the statutes and administrative rules and regulations of the fifty states, summarizing and comparing educational standards for a broad range of subjects affecting the quality of public elementary and secondary education. In addition to a one year grant from the National Institute of Education, the study relied heavily on the staff of the Lawyers' Committee School Finance Project and the resources of the Ford Foundation, which funds that project.

In undertaking this study the staff felt strongly that a fifty-state summary of educational standards would provide not only a handy reference for education policy-makers for the standards of their own state, but also a concrete basis on which to compare these standards with those of other states. A state considering education reform could contrast its legal standards with those from states with similar constitutional language, educational traditions and histories, or those with comparable educational governance structures, geographic, social or demographic conditions, to see how well those states dealt with the specific issues confronting public education. In addition, such summaries could be used to determine which states had developed particularly exemplary or innovative approaches to specific educational problems. In other words, we hope that this project will provide the kind of information that, if disseminated, could make state and local educators and policy-makers aware of their obligations to provide educational programs that conform not only to the standards currently found in their state's education laws, but also to those standards that must be devised to meet their constitutional obligations. We hope that the information will provide a baseline for considering new and better ways to ensure adequate educational standards. Finally, we hope that the study will provide a concrete and systematized foundation on which the equal educational opportunity debate can proceed.

COMMENTS AND RECOMMENDATIONS

In undertaking any project of this nature and scope there exist some general stumbling blocks, beyond the control of the researcher, that impede progress and may, to a limited extent, impair the value of a finished product. Education laws are undergoing rapid and fundamental change in most states. As a consequence some of the information collected in the early months of the project may be out-dated by the time this report appears. We relied on a variety of sources beyond our contacts with the states in our attempt to obtain the most current statutes and regulations, but we cannot guarantee that all the materials are the most recent.

Although such an effort was beyond the scope and resources of this project, it is also important to view these standards in the context of each state's enforcement mechanism. Such a mechanism includes not only those formal, legal structures and sanctions that have been incorporated into this study. It also includes the history, traditions and customs that are significant elements of the relationship between the state and local education agencies and that affect the way in which legal requirements are perceived and implemented. We recommend that such studies be undertaken, preferably on a state-by-state basis.

Problems of Access

At the outset it was clear that the accuracy of our results would depend to a great extent on the willingness and the ability of state educational officials to make available information on educational standards that was up-to-date, complete and understandable. We did encounter a few instances where our repeated requests for materials and information were either ignored or evaded. More frequently, however, we found that the requested materials were unavailable for a variety of reasons.

Officials in some states informed us that the materials were either out of print, or those that they had were so outdated that they no longer represented an accurate reflection of the law. For example, an official from Louisiana informed us that the state has not published a recent accumulation or codification of the school laws, and since the state constitution is now under revision, such a codification is not even contemplated at present. Often the only way to acquire materials was to purchase expensive, hard-bound, commercially prepared volumes, at up to $20.00 each. Since most law school libraries carry full sets of state statutes, these situations presented no serious problems in regard to statutory materials. They were, however, a major obstacle when trying to find administrative rules and regulations, since these were not generally available anywhere outside of the state. Indeed, it appears that in some states complete sets of administrative rules and regulations exist only in the offices of the State Department of Education.

Access to materials was the most serious problem that we faced in carrying out this particular project. We also presume that if materials were not available to us, then they would not be available to other citizens' groups who are interested in examining their state's educational standards. From the responses that we received, it is obvious that these materials may not be available even to the local education officials who are charged, ostensibly, with the responsibility for putting them into effect. In those states we wondered how seriously such state standards were considered in making local education policy decisions.

Problems in Using the Materials

Once we had assembled all the materials and began the process of extracting specific information, we found that an alarming lack of organization made the materials from some states extremely difficult to use. Some materials either had no index or only a very general one that did no more than alphabetize the table of contents. Very little of the material contained any kind of cross-referencing system and in many instances provisions relating to the same subject matter were scattered almost haphazardly throughout the materials. Without some logical arrangement of materials we could not guarantee that we found every provision relating to a given subject.

Numbering systems, although generally consistent throughout one volume or compilation, rarely provided any key to relate one set of materials to another. Regulations that were published in pamphlet form often had no numbering system at all, other than straight pagination. Not only did this arrangement make citations very difficult to understand, but also made it almost impossible to relate administrative materials to the particular statutes that authorized them.

Frequently areas that we considered important, such as promotion requirements, compensatory education or guidance and counseling services were not covered at all, either in the statutes or the regulations. More often, the subject was covered by a very general enabling statute that delegated responsibility for developing standards to a state education agency or official, but such standards then either did not exist or merely repeated the language of the statute.

The success with which laws communicate their meaning to others is an important element in determining how they will be implemented. In many cases the language in the materials was vague or ambiguous, full of legal jargon, archaic or simply incomprehensible. Often it was impossible to determine what the language meant without detailed research into legal opinions.

Finally, the problem of updating materials was alluded to above under problems of access. Few states have effective systems for including new materials and deleting repealed, superceded or out-dated provisions. Instead of revising basic compilations, many states simply add periodic supplements, leaving the materials full of inconsistent provisions and making it extremely difficult to get an accurate picture of the current state of the law.

Recommendations

In response to the problems outlined above, the Lawyers' Committee makes the following recommendations to state departments of education, state attorneys general, or other state agencies charged with the responsibility for disseminating legal materials relating to education. We recommend:

- that the appropriate state agency publish statutes and legally-controlling rules and regulations in one volume or set of volumes;
- that they be published in inexpensive looseleaf or paper-bound forms;
- that they be made available at a reasonable cost to all interested parties and be supplied free of charge to all school district officials, public and school libraries;
- that all statutes and administrative rules and regulations be thoroughly indexed;
- that wherever possible all provisions relating to one topic be grouped together;
- that where such grouping is not feasible, there be a complete system of cross-referencing;
- that numbering systems for all education statutes, rules and regulations be logically related and keyed to one another;

- that statutes, rules and regulations clearly designate those areas where further standards have been authorized, but have not yet been promulgated;

- that statutes, rules and regulations be written so that they are understandable not only to the lawyer or the educator, but also to the layman; and

- that bound volumes of statutes, rules and regulations be revised annually or, preferably, that looseleaf volumes, that can be updated more frequently, be published.

A Word of Caution

The problems discussed above explain most of the ommissions or inaccuracies that are to be found in the products of this study. There may be an occasional error due to an oversight or misinterpretation, although these are, we believe, much less frequent. In any event, we want to issue a caveat to the reader, that these materials, although generally comprehensive, must be viewed as a starting point for further research and not as the last word on current educational standards in all of the states. We hope that the problems that we encountered in acquiring and using the materials from the states will prove instructive to those with responsibility for assembling and disseminating such materials and will provide an impetus for improvement. We also hope that our work will form the basis for a more sophisticated and updated central library of legal standards for public education in the fifty states.

PRODUCTS

The bulk of this report consists of a series of twenty comparative charts and the descriptive materials that relate to them. The charts are designed to provide a quick method for comparing the manner in which each state treats a particular subject. The charts cover more than half of the areas studied by the project and covered by the state summaries discussed below. The purpose of the charts and the process by which they were developed is discussed more fully in the next chapter.

Although they are not included in the main body of this report, the principal products of this project are fifty compilations, one for each state, summarizing the educational standards found in the statutes and, where available, the rules and regulations on the subjects listed below. These 37 areas cover a wide range of subjects that are important elements in defining an adequate education. The areas studies in the state summaries are:

Accountability
Accreditation
* Admission Requirements
* Adult Education
* Attendance Requirements
Categorical Programs
Compensatory Education
Course or Credit Load
* Curriculum
District Organization
Equal Educational Opportunity
Evaluation
Experimental Programs
* Extra-Curricular Activities
Financial Records and Accounting Procedures
* Grade Organization
* Graduation Requirements
* Guidance and Counseling Services
* In-Service Training Programs
* Libraries
* Maintenance and Use of Pupil Records
Objectives of School System
* Personnel Policies and Employment Practices
* Promotion Requirements
* Pupil-Teacher Ratios and Other Staffing Requirements
* Pupil Transportation
Revenue
* Safety and Health Requirements
* School Calendar
School Construction and Equipment Standards
School Plant Requirements
School Size
Special Education
Staff Salary Schedules
Teacher Certification
* Textbooks and Other Instructional Materials
Vocational Education

The summaries have not been included as a part of this report because (1) the entire compilation is over 3,000 pages long and would be prohibitively expensive to reproduce on a large-scale basis; and (2) we felt that, in general, potential users would not be interested in the entire compilation, but only in the materials for particular states or specific subject areas. For these reasons, the summaries will become part of the ERIC system, and information concerning their use will be available through the ERIC Clearinghouse, Washington, D.C. or through the regional ERIC centers. Copies will be available at the Lawyers' Committee and the National Institute of Education for limited reprinting and dissemination. The summaries will be organized both by state and by subject area.

In order for the summaries and the comparative charts to be of continuing value, they must be more widely disseminated and

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* These are the areas covered by the comparative charts.

periodically updated. The Lawyers' Committee has been exploring additional methods of dissemination, as well as arrangements for yearly updating and possible expansion of the areas and materials covered.

In the course of completing the current project we formulated an idea, subsequently submitted as a funding proposal to the National Institute of Education, to develop model legislative and administrative standards for public education. This new project, which was funded by NIE and began on October 1, 1974, will use the findings of the current project as a base for analyzing in detail which states, if any, have squarely faced the issues of what constitute adequate standards for high quality education, what role the state should play in providing resources to meet those standards, and how a state can provide equal access to quality education for all its students. While the current study was basically descriptive, this new study will try to analyze, characterize and evaluate standards. It will attempt to come to grips with the tension between the need for concrete and objective statewide standards and the necessity for flexibility to accommodate experimentation, innovation, the special needs of individual pupils, local values and varying models for the decision-making process.

CHAPTER II

GENERAL INTRODUCTION TO COMPARATIVE CHARTS

Of the thirty-seven areas investigated in the state-by-state project we decided to construct charts comparing all the states in twenty of those areas.*/ The charts are designed so that a reader could see at a glance how each state has organized its requirements in those twenty areas of the education system.

There were several considerations which led to the selection of the twenty areas in which we developed charts. First, we wanted to compare areas that would be significant from the standpoint of defining a quality education. Secondly, we wanted to study areas which would lend themselves to a chart format without being cumbersome or difficult for a reader to interpret. Some areas such as teacher certification and school finance are of such complexity that to deal with them meaningfully would require a separate project. Other areas of similar complexity, such as special education and school accreditation, have already been studied at length by other education research groups (See Appendix I). Lastly, we wanted to choose areas in which our information base was substantially complete. These criteria narrowed the field to about twenty areas in which states had laws and regulations that had at least some quantifiable requirements that were most easily charted. The charts cover the following areas:

Admission Requirements
Adult Education
Attendance Enforcement Agent
Attendance Requirements
Curriculum
Extra-Curricular Activities
Grade Organization
Guidance and Counseling Program
High School Graduation Requirements
Individual Pupil Records
In-Service Training
Libraries
Promotion Requirements
Pupil Load -- Class Size
Pupil-Teacher Ratio
Pupil Transportation
Safety and Health Requirements
School Calendar
Teacher Personnel Policies
Textbooks

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*/ The titles of the charts, listed above, do not correspond precisely to the names given to the areas covered in the state summaries. For the purposes of constructing the charts the information for some areas that had been covered by the summaries such as Attendance Requirements, was broken down into two charts to make the analysis clearer. Other charts, such as Teacher Personnel Policies, represent only a portion of the materials covered under the corresponding heading, Personnel Policies and Employment Practices, in the fifty-state summaries. For cross-state comparisons of the remaining areas, or more detailed information than is contained in the comparative charts, consult the state summaries for the particular area. See pp. 7-8 for further information.

Once we had chosen the areas for the charts we decided that each one should answer four questions about the requirements in that area of the education system.

1) By what authority are these requirements established?

By consulting the chart the reader can see where the authority for these regulations derives, i.e., from the state constitution, state laws or regulations.

2) Who determines these requirements?

This section of the chart gives the reader an indication of what agency sets up the requirements. It was with this section that we encountered the most difficulty in setting up the chart headings. When both state and local agencies have overlapping responsibilities it is often impossible to assign responsibility for a specific requirement without a sense of the operational aspects of the state's education systems.

3) Who executes these requirements?

Under most circumstances it is the local agency that executes the state or locally determined requirements; however, in certain circumstances a state agency will monitor a requirement to ensure compliance.

4) What are the specific requirements?

One of the criteria we used in selecting a particular area to study was the type of requirements that it had, i.e., whether any of the requirements were quantifiable and therefore easily charted. Although we did not limit ourselves to quantifiable requirements, once we had selected an area, those aspects that were quantifiable formed the basis for most of the chart's sections on specific requirements.

A Comment on Interpreting the Charts

The following comparative charts are based on materials made available to us by the State Departments of Education. Since we had access to or were supplied with complete sets of statutory provisions, any blank space in the charts will reliably indicate the absence of any state law concerning that aspect of the state's education system.

However, the same blank space does not necessarily preclude the existence of some state regulation, since several states were unable to supply us with any regulations at all and other states provided us with incomplete compilations of regulations. To an extent we were able to compensate for this situation by selecting for comparison only those areas in which we were reasonably sure that we had complete materials.

COMPARATIVE CHARTS

ADMISSION REQUIREMENTS

In most states admission requirements are dealt with by statute rather than by regulation. Most states require that a child reach the age of five by a certain date before he may attend kindergarten classes. Both Kansas and Minnesota require that a child have his fifth birthday by September 1; in several states he may be admitted if he will be five by January 1. Connecticut and Michigan permit their local boards discretion in granting exceptions to this minimum age requirement. California and Alabama allow exceptions based on criteria formulated by the state education agency.

Although some states do not provide for kindergarten programs, all provide that a child must reach a minimum age of 6 years before entering first grade. The range is similiar to the different dates for kindergarten: From September 1, at the earliest, to January 1. Some states allow pupils previously enrolled in another state to transfer regardless of age. Delaware admits students less than 6 years old who indicate their maturity upon examination. As with the kindergarten programs, several states allow their local boards to grant exceptions to the minimum age requirements; others permit their state education agency to promulgate guidelines for granting exceptions. Discretion to admit younger pupils is recognized in Missouri; however only those who have reached the eligible age are counted for state aid purposes. What these various alternatives illustrate is a greater tendency for states to grant exceptions for children entering first grade than for those entering kindergarten.

A further prerequisite to admission in some states is that the child undergo a medical examination or immunization against contagious diseases. New York and Alaska let their local boards determine whether to institute this requirement.

The difference between an admission and an attendance requirement should be noted. An attendance statute usually places the responsibility on the parent or guardian; that is, the parent must cause his child to attend school if he is between 7 and 16. By contrast, the responsibility for carrying out the admission statute is with the state, or in some cases, delegated to the local board. Thus, the schools must, with certain well-specified exceptions, admit 5 year old students to kindergarten and 6 year olds to first grade. Where the age for compulsory attendance is greater than for admission, a parent could not send his child to school and suffer no legal consequences. But the common admission statute vests no such discretion to the state agency, local board or school; a child who reaches the minimum age must be admitted if his parent decides to send him.

Descriptions of Headings for Charts on Admission Requirements

Statute or Regulation - All admission requirements specified on this chart are covered by statutes (S) and/or regulations (R).

Kindergarten -

1) Age - A child must reach a certain minimum age before he can enroll in a first grade class.
2) By What Date - A child must meet the minimum age requirement by a certain date within the the school year.
3) Exceptions - The district board may make exceptions to the age requirements based on state or local criteria specified in a footnote.

First Grade -

1) Age - A child must reach a certain minimum age before he can enroll in a kindergarten class.
2) By What Date - A child must meet the minimum age requirements by a certain date within the school year.
3) Exceptions - The district board may make exceptions to the age requirement based on state or local criteria as specified in a footnote.

Medical Examination and/or Immunization - The state either requires (M) or grants the district board the discretion to require (D) that a child be examined and/or immunized before he can enroll in school.

Admissions Requirements - footnotes

a) exceptions allowed for transfers from another state and mid-year entrance.
b) Alaska - transfer from other state allowed upon local board approval.
c) local board may establish an early admissions policy.
d) Delaware - upon examination which indicates maturity.
e) exceptions based on criteria established by the state department of education.
f) Illinois - subject to rules and regulations of the state department of public instruction.
g) date determined by local school board.
h) exception allowed for any pupil who has completed kindergarten.
i) Louisiana - entrance at mid-year allowed if age requirement met.
j) Missouri - local board discretion; however, only pupils who have reached eligible age are counted for state aid.
k) New Mexico - local board may admit pupil whose birthday falls between September 1 and January 1.
l) Ohio - statute says only that schools are free to all residents 5 to 21.
m) Oregon - statute says only that schools are open to all residents 6 to 21.
n) Washington - at beginning of school year.

ADMISSION REQUIREMENTS

STATES	STATUTE	REGULATION	KINDERGARTEN			FIRST GRADE			MEDICAL EXAMINATION IMMUNIZATION
			Age	By What Date	Exceptions	Age	By What Date	Exceptions	
ALABAMA	S					6	Oct 1	Yes (a)	
ALASKA	S		5	Nov 2	Yes	6	Nov 2	Yes(b)	D
ARIZONA		R				6	Jan 1	Yes	
ARKANSAS	S		5	Oct 1		6	Oct 1		M
CALIFORNIA	S		5	Jan 1	Yes(a)	6	Jan 1	Yes(a)	
COLORADO	S		5			6	Sept 1		M
CONNECTICUT	S		5	Jan 1	Yes(c)	6	Jan 1	Yes(c)	
DELAWARE		R	5	Jan 1	Yes	6	Jan 1	Yes(d)	
FLORIDA	S		5	Jan 1		6	Jan 1		M
GEORGIA	S								M
HAWAII	S		5	Dec 31	Yes	6	Dec 31	Yes(e)	
IDAHO	S					6	Oct 16		
ILLINOIS	S		(f)			6	Dec 1		
INDIANA	S		5	(g)		6	(g)		M
IOWA	S		5	(g)		6	(g)		
KANSAS	S		5	Sept 1		6	Sept 1	Yes(h)	M
KENTUCKY	S					6			M
LOUISIANA	S					6	Jan 1	Yes(i)	M
MAINE	S					6	Oct 15		
MARYLAND	S	R	5	Dec 31		6	Dec 31		M
MASSACHUSETTS		R				6	Dec 31		
MICHIGAN	S		5	Dec 31	Yes(c)	6	Dec 1	Yes(c)	
MINNESOTA	S		5	Sept 1	Yes	6	Sept 1	Yes(c)	M
MISSISSIPPI	S		5	(g)		6	(g)		
MISSOURI	S		5	Oct 1	Yes	6	Oct 1	Yes(j)	M
MONTANA	S					6	(g)		
NEBRASKA	S					6	Oct 15	Yes(h)	M
NEVADA	S					6	Sept 30		M
NEW HAMPSHIRE	S					6	Sept 12	Yes	
NEW JERSEY	S		5	Oct 1	Yes	6			M
NEW MEXICO	S					6	Sept 1	Yes(k)	
NEW YORK	S		5	(g)			(g)		
NORTH CAROLINA	S		5	Oct 15		6	Oct 1	Yes(a)	M
NORTH DAKOTA	S					6	Oct 30		
OHIO	S(l)								
OKLAHOMA	S	R	5	Nov 1	Yes	6	Nov 1		M
OREGON	S(m)					6			
PENNSYLVANIA	S					6	Feb 1	Yes	
RHODE ISLAND	S		5	Dec 31		6	Dec 31		
SOUTH CAROLINA	S					6	Nov 1		M
SOUTH DAKOTA	S		5	Nov 1		6	Nov 1		
TENNESSEE	S	R	5	Oct 31		6	Sept 30	Yes(a)	M
TEXAS	S					6	Sept 1		M
UTAH	S		5	(g)		6	(g)		D
VERMONT	S								
VIRGINIA	S		5	Sept 30		6	Sept 30	Yes	M
WASHINGTON			4-6			6	(n)		
WEST VIRGINIA	S					6	Nov 1		
WISCONSIN	S					6	Dec 1		
WYOMING	S		5	Sept 15		6	Sept 15		

ADULT EDUCATION

Nearly all states have statutes that provide for school districts to offer adult education, but in most states the provision is discretionary. In some states the requirement is contingent on the demand. Connecticut, for example, requires a program in towns with a population above 10,000. For smaller towns at least twenty persons must petition for instruction in a particular subject. In several states specific adult education programs are offered only if a certain number of applicants or petitioners request a course.

There are four general categories of course offerings: high school equivalency, continuing education, basic skills and citizenship training. In more than half the states districts offer high school equivalency programs enabling students to earn a high school diploma, although districts usually have discretion to offer this program. Continuing education courses, covering enrichment courses are generally discretionary.

Basic skills programs, offering elementary courses in reading and writing English, are customarily found in border states and states with large urban populations. Only three states require citizenship education programs: New York, California, and Hawaii. These three states have a large population of immigrants who wish to become naturalized citizens. To keep pace with the demand these three states have legislated permanent citizenship classes.

Description of Headings for Chart on Adult Education

District Offers Adult Education - The state requires (M) or recommends (D) that each district offer some program of adult education.

Course Offerings -

1) High School Equivalency - These courses would entitle a student to earn a high school diploma.

2) Continuing Education - This category covers enrichment courses.

3) Basic Skills - These are elementary courses in reading and writing English.

4) Citizenship Education - This category covers courses for persons who want to meet requirements for naturalization as a U.S. citizen.

Adult Education - footnotes

1) Mandatory when requisite number of persons petition school board.
2) Connecticut - Towns over 10,000 must establish programs: discretionary for towns under 10,000. Petition by 20 persons over 16 compels instruction in particular subject.
3) Delaware - State board authorized to establish a high school extension program including adult classes subject to its rules.
4) Kansas - Discretionary when requisite number of persons petition school board.
5) Kentucky - Any veteran who applies not later than four years after an honorable discharge receives a tuition-free education.
6) Pennsylvania - Pupils over 21 may be admitted to suitable vocational schools or departments.
7) Rhode Island - Mandatory if 20 or more persons cannot speak English.

ADULT EDUCATION

STATES	NO PROVISIONS	DISTRICT OFFERS ADULT ED.		COURSE OFFERINGS							
				High School Equivalency		Continuing Education		Basic Skills		Citizenship Education	
ALABAMA			D		D				D		
ALASKA			D		D						
ARIZONA		M		M				M			
ARKANSAS			D								
CALIFORNIA		M			D		D	M(1)		M	
COLORADO			D				D				
CONNECTICUT		M(2)		(2)		(2)		(2)		(2)	
DELAWARE			(3)	M					D		
FLORIDA			D				D		D		
GEORGIA			D		D				D		
HAWAII		M		M		M		M		M	
IDAHO			D		D		D				
ILLINOIS		M		M		M					
INDIANA			D		D						
IOWA			D		D		D		D		
KANSAS			D(4)								
KENTUCKY			D(5)								
LOUISIANA			D		D						
MAINE			D				D		D		
MARYLAND			D		D		D		D		
MASSACHUSETTS		M				M(1)		M(1)			
MICHIGAN			D					M			
MINNESOTA		M		M							
MISSISSIPPI		M		M		M		M			
MISSOURI			D								
MONTANA			D								
NEBRASKA			D						D		D
NEVADA			D								
NEW HAMPSHIRE			D				D		D		
NEW JERSEY			D				D		D		
NEW MEXICO			D								
NEW YORK		M	D	M		M		M		M	
NORTH CAROLINA			D								
NORTH DAKOTA			D			M(1)					
OHIO			D				D				D
OKLAHOMA			D		D				D		
OREGON			D				D				
PENNSYLVANIA			D		D		D		(6)		D
RHODE ISLAND		M					D	M(7)			
SOUTH CAROLINA			D								
SOUTH DAKOTA		M	D	M							
TENNESSEE			D		D		D				
TEXAS		M	D	M				M			
UTAH			D		D						
VERMONT	X										
VIRGINIA			D								
WASHINGTON			D		D						
WEST VIRGINIA			D		D		D		D		D
WISCONSIN		M		M				M			
WYOMING			D		D		D		D		

M - mandatory
D - discretionary

ATTENDANCE ENFORCEMENT AGENT

Almost every state has statutory requirements relating to the enforcements of attendance laws. With few exceptions the entire responsibility for enforcing attendance laws rests with the district board. Most states require that the district board appoint an attendance officer or supervisor to manage the district's attendance records and investigate any cases of unexcused absence. In Louisiana and Georgia, the state retains some control over the district's enforcement practices by preparing a list of visiting teachers eligible to serve as attendance officers. In a few states the district superintendent functions as the enforcement authority if no attendance officer is appointed. In Washington the district superintendent serves as enforcement officer in rural districts and in city districts the board appoints an officer.

In keeping with the general emphasis on local decision-making in this area, the district boards in most states determine the salary of the enforcement agent. Similarly, the district board determines the number of attendance officers it will employ in most states whose code addresses this issue. A few states, however, have established requirements for the number of attendance officers based on the total population of the district.

Many state codes express in some detail the process an attendance officer must adhere to in enforcing the laws. A typical sequence follows these lines. If a pupil has been absent for several days without excuse, the officer must conduct a general inquiry to determine the cause of the absence. If the officer determines that the pupil's absence is unjustified, he must send a notice to the child's parents ordering them to comply with attendance laws. If this approach does not work, the office must then take the child into custody or report the case to the state's attorney for prosecution.

Description of Headings for Chart on Attendance Enforcement Agent

Designation - The title of the person who enforces attendance laws.

Selection -

1) Mandatory or Discretionary - The state requires (M) or recommends (D) that each district have an enforcement agent.

2) Appointed by District Board - The district board appoints the enforcement agent.

Compensation -

1) District Board Determines - The district board determines the salary for enforcement agents.

2) Within State Guidelines - The district board determines the salary within state guidelines.

Number

1) District Board Determines - The district board determines the number of agents it will employ.

2) Within State Guidelines - The district board determines the number using state guidelines.

Prosecution Mechanism -

1) Power of Arrest - The enforcement agent has the power of arrest and can take a child into custody.

2) Notice to Parent - Before any prosecution the state requires that the parent or guardian be given notice that the child must return to school.

3) General Inquiry - The enforcement agent conducts a general inquiry into the alleged violations of attendance laws.

4) Mandatory Prosecution - The district must report to the state's attorney's office any violations for prosecution.

Attendance Enforcement Agent - footnotes

a) Georgia - attendance officers may be employed in lieu of visiting teachers.
b) if no attendance officer is appointed, the county superintendent of schools serves as the attendance officer.
c) Louisiana - the district school board appoints visiting teachers from lists prepared by the state superintendent.
d) New Hampshire - the state board may require that additional officers be appointed.
e) New Mexico - the local board has the responsibility for enforcement, which may be delegated to authorized representatives.
g) North Dakota - the school board of any school district with more than 500 inhabitants may appoint an officer.
h) South Carolina - the state appropriates funds to pay the salary for one attendance officer; the district may pay additional compensation at its own expense.
i) South Dakota - the superintendent serves as attendance officer in county districts.
j) Texas - the school board may appoint an attendance officer upon petition by district residents.
k) Washington - in a city district the board must appoint an officer; elsewhere, the district superintendent serves as officer.
l) West Virginia - county director of school attendance.

ATTENDANCE ENFORCEMENT AGENT

STATES	DESIGNATION*	SELECTION		COMPENSATION		NUMBER		PROSECUTION MECHANISM			
		Mandatory or Discretionary	Appointed by District Bd.	District Bd. Determines	Within State Guidelines	District Bd. Determines	Varies With District Size	Power Of Arrest	Notice to Parent	Mandatory Prosecution	General Inquiry
ALABAMA	AO	M	X	X	X	X			X		
ALASKA	TO	M	X					X		X	X
ARIZONA	AO	D	X	X				X			X
ARKANSAS	AO	D	X	X		X			X	X	
CALIFORNIA	S	M	X	X		X			X	X	X
COLORADO	AO	M	X								X
CONNECTICUT	AO	D	X							X	X
DELAWARE									X		
FLORIDA	AA	M	X	X				X			
GEORGIA	VT(a)	D	X	X		X				X	X
HAWAII	RI									X	
IDAHO											
ILLINOIS	TO	M	X	X				X	X		X
INDIANA	AO	M	X(b)	X			X	X	X	X	X
IOWA	TO	M	X					X	X		X
KANSAS									X		
KENTUCKY	DPP	M	X	X							
LOUISIANA	VT		X(c)		X			X			
MAINE	AO	M	X	X							
MARYLAND											
MASSACHUSETTS	S	D			X	X		X			
MICHIGAN	AO	M	X	X					X	X	
MINNESOTA	TO	D	X					X	X	X	X
MISSISSIPPI	TO	D	X	X							X
MISSOURI	AO	M	X(b)	X				X			X
MONTANA	AO	M	X					X			
NEBRASKA	AO	M	X	X				X			X
NEVADA	AO	D	X	X				X		X	X
NEW HAMPSHIRE	TO	M	X	X			X(d)				
NEW JERSEY	AO	M	X		X	X		X	X		
NEW MEXICO	(e)										
NEW YORK	(f)	M	X		X	X		X			X
NORTH CAROLINA	AC	D	X		X		X			X	X
NORTH DAKOTA	TO	D(g)	X				X				X
OHIO	AO	M	X	X					X		X
OKLAHOMA	AO	M	X	X		X					X
OREGON	AS	M	X	X					X		X
PENNSYLVANIA	AO	M	X		X	X		X	X		X
RHODE ISLAND	TO	M	X	X						X	X
SOUTH CAROLINA	AO	M	X		X(h)						
SOUTH DAKOTA	TO	M	X(i)	X							
TENNESSEE	AO	D	X	X		X			X		X
TEXAS	AO	D	X(j)	X				X			
UTAH	TO	D	X	X							
VERMONT	TO								X		
VIRGINIA	AO	D	X	X					X	X	X
WASHINGTON	AO	M	X(k)	X				X			X
WEST VIRGINIA	(l)	M	X	X					X		
WISCONSIN	TO							X	X		X
WYOMING	AO	M	X	X					X	X	X

* Abbreviations

AO - Attendance Officer
TO - Truant Officer
S - Supervisor
AA - Attendance Assistant
VT - Visiting Teacher
RI - Responsible Individual
DPP - Division of Pupil Personnel
AC - Attendance Counselor
AS - Attendance Supervisor
M - Mandatory
D - Discretionary

ATTENDANCE REQUIREMENTS

In most states children from the ages of seven to sixteen are required to attend school. Some states require attendance at age six and one state requires attendance until age eighteen (Hawaii). Massachusetts compulsory attendance laws extend to persons who are twenty-one if they have not completed the sixth grade. But such requirements are extremely rare and most states' requirements fall within the seven to sixteen range.

In most states children from the ages of five to twenty-one are permitted to attend school. In a few states there are statutes enabling the district board to admit persons over twenty-one. In these situations the district board usually must determine that the older person will not have a disruptive effect on the education of the other children. In addition this person is generally required to pay tuition although some states provide tuition-free education to veterans. It should be noted that these age requirements for compulsory and permitted attendance apply only to the regular classroom program. Others programs such as special education, adult education or vocational education may have different age requirements.

All states have developed statutes that permit certain students to be exempt from the compulsory attendance requirements. In all cases these statutes are guidelines for the district board or superintendent in making a decision. Some states specifically grant the district board the power to develop its own regulations in the absence of state guidelines. Before any exemption is granted the parent or guardian typically must appear at a hearing and demonstrate to the satisfaction of the board that the claim for exemption is valid.

There is a great range of factors that will exempt a child from compulsory attendance. In some states there are as many as a dozen conditions that will provide an exemption. Almost all states will exempt a child if he has completed satisfactory work at a certain grade level (usually the eighth) and reached a certain age or he is legally employed under the state's child labor laws. Frequently child labor laws combine an age requirement with a grade completion requirement. Occasionally the child must also be necessary for the support of the family before he can be exempt.

Almost all states provide an exemption for a child who is mentally retarded or physically handicapped. However neither of these exemptions necessarily implies that the state does not provide a program of special education or require handicapped child to attend.

Almost all states provide an exception for children who are receiving an education in a private or parochial school or are studying with a private tutor.

Only three states will allow a person to be exempt if he passes an examination showing that he is achieving on a certain grade level. A few states allow a child to be exempt from compulsory attendance if he lives a great distance from the school and no transportation is available. Of these states that provide a distance exemption some apply this exemption only to children in elementary grades.

For information on the enforcement of these attendance laws see the chart and analysis on Attendance Enforcement Agent which follows:

Description of Column Headings for Chart on Attendance Requirements

Compulsory Attendance - During these years (inclusive) a child must attend school.

Attendance Permitted - During these years (inclusive) a child may attend school on a tuition-free basis. (See chart on Admissions Requirements for related provisions)

Basis for Exemption

1) Employment at Age - A child is exempt from attendance requirements if he is legally employed at a certain age.

2) Grade Completed - If he has completed a certain grade, a child can be exempt.

3) Local Decision - A mark in this column indicates that the district board or other local authority has some discretionary latitude in choosing to exempt certain pupils who might not be exempt under state guidelines.

A, B) Mental Condition, Handicapped - These columns indicate exemptions for those children whose mental or physical condition prevents their being placed in regular or special education programs. It is customary that this exemption be granted only after a licensed physician or qualified psychologist has certified that the child would not benefit from any education program the state offers.

C) Court Decision - A decision by a juvenile court can exempt a child.

D) Academic Equivalency Test - A child is exempt if he achieves a certain score on a standard test.

E) Alternate Equivalent Education - This column covers education in private or parochial schools or by a private tutor.

F) Chronic Ill Health - Ill health could exempt a child from meeting the minimum annual attendance requirements, or it could exempt him for attendance altogether.

G) Great Distance - If a child must walk a great distance to the nearest school or bus route and no other transportation is available, then the child is exempt. The distance can be as short as a mile and a half. In some states this exemption applies only to children in elementary school.

H) Parental Objection - If approved by the district board or superintendent, a parent's objection can exempt a child.

I) Other - This column covers other general exemptions some of which are footnoted.

Attendance Requirements - footnotes

a) Connecticut - each week's absence constitutes a separate offense.
b) Massachusetts - minors between 16 and 21 who have not met 6th grade completion requirement must attend public evening school.
c) Missouri - person under 18 who has not completed elementary school is required to attend school.
d) Nevada - court approval also required.
e) New Jersey - local board determines.
f) New Jersey - may attend schools in another district.
g) Oregon - distance varies with age of child: age 7-10, 1 1/2 miles; above 10, 3 miles.
h) South Carolina - local board may admit older person.
i) South Carolina - child must also be employed and necessary for the support of the family.
j) Tennessee - child is excused for "good or substantial reason."
k) each day's unexcused absence constitutes a separate offense.
l) Texas - child must also be at least 17 and needed for the support of a parent or guardian.
m) older persons may be admitted at the local board's discretion.
n) West Virginia - persons over 21 may attend with the local board's approval.
o) Wyoming - child excused if he is constantly disobedient or there is undue hardship.
p) Maine - Veterans may attend school until the age of 25.
q) Before a child can be legally employed, he must have completed a certain grade.

ATTENDANCE REQUIREMENTS

STATES	COMPULSORY ATTENDANCE	ATTENDANCE PERMITTED	BASIS FOR EXEMPTION												FINES FOR VIOLATION		
			Employment At Age	Grade Completed	Local Decision	A	B	C	D	E	F	G	H	I	Jail (Days)	1st Offense	2nd Offense
ALABAMA	7-16				X	X	X					X	X			to $100	
ALASKA	7-16		14		X	X	X	X		X	X	X		X	1	$50-$200	
ARIZONA	8-16	6-21			X	X	X			X				X		Yes	
ARKANSAS	7-15	6-21			X	X	X				X						
CALIFORNIA	6-16					X	X		X		X			X	5	$125	$125-250
COLORADO	7-16		14			X	X			X						$20-100	
CONNECTICUT	7-16	5-21	14(q)	8(q)						X						$5 (a)	$5
DELAWARE	6-16	6-21	16				X			X				X		$25	$35
FLORIDA	7-16	7-21	14				X	X		X	X	X		X		$10	$15
GEORGIA	7-16				X	X	X				X			X		to $100	to $100
HAWAII	6-18		15			X	X			X				X	60	$5-50	
IDAHO	7-15	6-21				X	X				X			X			
ILLINOIS	7-16					X	X			X	X			X	5	$5-20	
INDIANA	7-16					X	X				X				60	$10-200	
IOWA	8-15		14	8		X	X	X		X						$5-25	
KANSAS	7-16					X	X			X							
KENTUCKY	7-16					X	X			X							
LOUISIANA	7-15					X	X					X		X	10	$100	
MAINE	7-17	6-20(p)	15			X	X										
MARYLAND	6-16					X	X	X		X				X		$50	$50
MASSACHUSETTS	(b)		14	6		X	X									to $20	
MICHIGAN	6-16					X	X			X		X		X			
MINNESOTA	7-16	5-21		10						X	X		X		30	$50	
MISSISSIPPI																	
MISSOURI	7-16(c)		14			X	X								2-10	$10-20	
MONTANA	7-15	6-20		8		X	X			X						$5-20	
NEBRASKA	7-16		14(q)	8(q)		X	X			X							
NEVADA	7-17		14	8(d)	X	X	X	X				X		X			
NEW HAMPSHIRE	6-16		14			X								X			
NEW JERSEY	6-16	(e)	14			X	X					(f)				$5-25	
NEW MEXICO	8-17		14				X		X		X			X			
NEW YORK	6-16						X				X			X			
NORTH CAROLINA	7-16						X										
NORTH DAKOTA	7-16		14(q)	8(q)	X	X	X			X						to $100	to $200
OHIO	6-18	5-21	14		X		X			X	X			X		$100	
OKLAHOMA	7-18					X		X			X			X	10	$50	
OREGON	7-18		16(q)	8(q)	X	X	X		X	X		(g)	X				
PENNSYLVANIA	8-17	6-21	16			X	X				X			X			
RHODE ISLAND	7-16															$20	
SOUTH CAROLINA	7-16	6-21(h)		8(i)		X	X			X	X		X	X	30	to $50	
SOUTH DAKOTA	7-16	5-21	16	8	X	X	X			X						to $50	
TENNESSEE	7-16	6-21												(j)			
TEXAS	7-17	7-21	17	9(l)	X	X	X									$5-25 (k)	$10-50
UTAH	6-18		16	8	X	X	X			X		X				$5-50	
VERMONT	7-16		15	6	X	X	X				X			X			
VIRGINIA	6-17	5-20(m)					X			X		X	X	X			
WASHINGTON	8-15	6-21	15			X	X			X							
WEST VIRGINIA	7-16	6-21(n)	Yes			X	X			X		X				$3-20 (k)	
WISCONSIN	7-16	6-20(m)			X	X	X	X						X	90	$5-50	
WYOMING	7-16	6-21				X	X							X(o)	10	$5-25	

A - Mental Condition	D - Academic Equivalency Test	G - Great Distance
B - Handicapped	E - Alternate Equivalent Education	H - Parental Objection
C - Court Decision	F - Chronic Ill Health	I - Other

CURRICULUM

In all states the local district must offer a curriculum that the state prescribes. The degree of control exercised by the education agency differs from state to state. In about half the states a local district must offer the curriculum devised by the state. In three of these states (Alabama, Mississippi and Utah) the curriculum is decided by a state committee other than the education agency; in all others, the education agency formulates the requirements. Even in those states where districts retain some discretion, course offerings must still be chosen within state guidelines. Sometimes the guideline is a legal requirement that the district must observe; for example, all schools must offer courses in American history and government. The statutes of nearly all states contain such requirements. In addition, the choice of the district is often limited by state board guidelines regulating the number, content or quality of the courses.

Some states provide that a district must offer a specified number of courses. Some also enforce the dictates of the education agency by making the district's choice of curriculum a requirement for accreditation. Sanctions for non-compliance would include non-recognition of the district or school and/or loss of state aid.

Description of Headings for Chart on Curriculum

Local Selection of Curriculum: - The local district selects its curriculum offerings on the basis of the extent of authority delegated by the state.

1) Determined by State - The state decides the requirements for curriculum in the public schools. It acts through its legally constituted executive authority (usually the State Board of Education) or through an independent committee established to make decisions on curriculum.

2) Within State Guidelines - The state promulgates guidelines which the district must follow when it selects its curriculum.

Program Specifications:

1) Minimum Number of Required Courses: The school must offer the stated number of required courses to comply with the standard.

2) Minimum Number of Electives: The school must offer the stated number of elective courses to comply with the standard.

3) Requirement for Accreditation: A school must offer the required number and subject matter of courses in order to receive or maintain its accreditation status.

4) Bilingual Education: The school program makes provision for bilingual education. Such programs are either mandatory (M) or discretionary (D).

Sanctions for Non-Compliance: The local district faces loss of aid or accreditation status if it fails to comply with state standards or devise satisfactory course offerings of its own.

Curriculum - footnotes

a) the state has provisions for review and revision of the curriculum.
b) the number combines required and elective courses.
c) Minnesota - school submits detailed outlines for which curriculum guides are not available to commissioner.
d) Missouri - high schools will offer credit minimums according to their classification status: AAA - 48 1/2 units; AA - 37 1/2 units; A - 24 1/2 units.
e) Nevada - high school under 200 pupils - 24 courses; high school over 1800 pupils - 75 courses.
f) Mandatory program for 20 or more pupils.

CURRICULUM

STATES	LOCAL SELECTION OF CURRICULUM			SECONDARY SCHOOLS: PROGRAM SPECIFICATIONS				SANCTIONS FOR NON-COMPLIANCE
	Determined by State		Within State Guidelines	Minimum No. of Req'd Courses	Maximum No. of Electives	Req'mnt for Accredit	Billingual Educ.	
	Executive Agency	Independent						
ALABAMA		X(a)						
ALASKA	X						M	
ARIZONA	X			7½ credits	8½ credits		M	
ARKANSAS	X							
CALIFORNIA			X(a)				D	
COLORADO			X				D	
CONNECTICUT	X							
DELAWARE	X							
FLORIDA	X		X	36 courses	(b)	X		
GEORGIA	X							
HAWAII	X							
IDAHO			X					
ILLINOIS			X				M	
INDIANA			X					
IOWA			X					
KANSAS	X			30 units		X	D	
KENTUCKY	X		X					
LOUISIANA	X (a)						M	
MAINE			X				D	
MARYLAND			X					
MASSACHUSETTS	X		X				M	
MICHIGAN			P					
MINNESOTA	(c)			1950 hours	1200 hours	X	M	X
MISSISSIPPI		X(a)		12		X		
MISSOURI			X	(d)		X		
MONTANA			X	16 units				
NEBRASKA			X	18 courses		X		
NEVADA	X			(e)		X		
NEW HAMPSHIRE			X	16 units		X		X
NEW JERSEY	X							
NEW MEXICO			X	30		X		X
NEW YORK	X					X	D	X
NORTH CAROLINA	X		X					
NORTH DAKOTA			X			X		
OHIO			X	55	(b)			
OKLAHOMA			X	38 units				
OREGON	X		X			X		X
PENNSYLVANIA	X						M	
RHODE ISLAND			X				M(f)	
SOUTH CAROLINA	X		X	40	(b)			
SOUTH DAKOTA	X							
TENNESSEE			X(a)					
TEXAS			X				M(f)	
UTAH		X						
VERMONT	X			26				
VIRGINIA			X	18 units	24 units	X		
WASHINGTON	X		X	38 units	(b)	X		
WEST VIRGINIA			X					
WISCONSIN	X							
WYOMING	X							

S - State
L - Local

D - Discretionary
M - Mandatory

P - Partial

EXTRA-CURRICULAR ACTIVITIES

Extra-curricular activities cover a range of non-academic pursuits such as school organizations and athletic contests. About half the states require that each district offer a program of extra-curricular activities in secondary and/or elementary schools. This requirement is often one of the pre-requisites to accreditation. A state education agency's requirement for extra-curricular activities is usually accompanied by a general statement encouraging the district to provide a balanced program of activities to ensure broad student participation.

Only a few states have detailed regulations concerning minimum program specifications. Other states require that each district submit its plan for extra-curricular activities to the state education agency for approval. The activity most commonly subject to state regulation is participation in athletic events. The North Dakota State Department of Education, for example, requires that athletic contests be scheduled so as to minimize time away from academic classes. Many state legislatures have prohibited schools from allowing any secret societies or fraternities.

Descriptions of Headings for Chart on Extra-Curricular Activities

District Must Provide - The state requires that each district or school provide a program of extra-curricular activities for elementary (E) or secondary (S) schools.

Detailed State Regulations - The state sets forth detailed requirements for a district or school's extra-curricular activities.

State Approval Required - The state assumes a supervisory role for each district or school's extra-curricular activities. The state may require that each activity be registered or its program content be approved.

Regulations for Athletic Competition - The state establishes certain guidelines for interscholastic contests. These guidelines might include requirements for game scheduling, transportation, insurance for players, etc.

Secret Societies Prohibited - The state prohibits any school from setting up any secret society or organization.

District Must Provide Facilities for Public Purposes - The state requires that the district allow school facilities to be used at the request of the community.

No Provision - The state has established no requirements for extra-curricular activities.

Extra-Curricular Activities - footnotes

a) Louisiana - Only statutory requirement relates to transportation to athletic activities.
b) North Dakota - Athletic games and practice must be scheduled so as to minimize the time away from academic classes.

EXTRA-CURRICULAR ACTIVITIES

STATES	DISTRICT MUST PROVIDE	PROGRAM SPECIFICATIONS					
		No Provisions	Detailed State Regulations	State Approval Required	Regulations for Athletic Competition	Secret Societies Prohibited	District Must Provide Facilies for Public Use
ALABAMA					X		
ALASKA		X					
ARIZONA		X					
ARKANSAS		X					
CALIFORNIA			X			X	
COLORADO					X	X	
CONNECTICUT		X					
DELAWARE				X	X		
FLORIDA		X					
GEORGIA		X					
HAWAII	ES		X		X		
IDAHO		X					
ILLINOIS	ES					X	
INDIANA	ES						
IOWA	S		X	X			
KANSAS						X	
KENTUCKY		X					
LOUISIANA	S				X(a)		
MAINE	S					X	
MARYLAND						X	
MASSACHUSETTS					X		
MICHIGAN					X	X	
MINNESOTA	S					X	
MISSISSIPPI						X	
MISSOURI					X		
MONTANA						X	
NEBRASKA	ES					X	
NEVADA	S		X				
NEW HAMPSHIRE		X					
NEW JERSEY	ES					X	
NEW MEXICO	ES		X	X			
NEW YORK		X					
NORTH CAROLINA					X		
NORTH DAKOTA	ES				X(b)		
OHIO				X			
OKLAHOMA			X		X	X	
OREGON		X					
PENNSYLVANIA	ES		X		X		
RHODE ISLAND		X					
SOUTH CAROLINA					X		
SOUTH DAKOTA	S		X				
TENNESSEE		X					
TEXAS		X					
UTAH	ES						X
VERMONT		X					
VIRGINIA	S		X				
WASHINGTON		X					
WEST VIRGINIA					X		
WISCONSIN		X					
WYOMING		X					

E - Elementary
S - Secondary

GRADE ORGANIZATION

About three-fourths of the states have some provisions regarding grade organization. Grade organization can be a subject for either legislation or regulations. Among the states which deal with grade organization, about half use statutes and the remainder use regulations.

In most states the local board decides on the district's grade organization. This decision may be based on the state's guidelines for grade organization or it may be subject to the state agency's approval or it may be an autonomous local decision. On the other hand, the local board has no choice in two states. In Mississippi and Neveda the state education agency decides on a specific grade organization for all local boards.

In most states the local board makes a decision on the grade organization for the district based on state's guidelines. The state's guidelines will usually provide a variety of grade organizations from which the local agency may choose. Although they have established guidelines, a few states allow the local board to choose a grade organization not among those recommended by the state. Before adopting that grade organization, however, the local board must obtain the state agency's approval as in Florida, Idaho and New Mexico. In those states the approval of the state education agency is necessary only in the special circumstance when the state guidelines do not allow the local board sufficient flexibility.

In a few states the state supplies no guidelines so that the local board must in all cases obtain the state agency's approval before planning a grade organization.

Only Virginia has no state supervision over or restrictions on the local board's decision on grade organization.

Description of Headings for Chart on Grade Organization

Statute or Regulation - Grade organization requirements are covered by statutes (S) and/or regulations (R).

State Decision - The state decides the grade organization for all district schools.

Local Decision -
1) Within State Guidelines - A district chooses its grade organization from recommended patterns established by the state.
2) Upon State Approval - A district must obtain state approval before it adopts a grade organization which is not among the recommended patterns.
3) No State Restrictions - A district is free to adopt any grade organization.

Grade Organization - footnotes

a) Georgia - grade organization fixed by the state only in common schools.
b) Louisiana - can add 13th and 14th grades.

GRADE ORGANIZATION

STATES	STATUTE AND/OR REGULATION	STATE DECISION	LOCAL DECISION			No Provisions
			Within State Guidelines	Upon State Approval	No State Restrictions	
ALABAMA	R			X		
ALASKA	R		X			
ARIZONA						X
ARKANSAS						X
CALIFORNIA	S		X			
COLORADO						X
CONNECTICUT						X
DELAWARE	R		X			
FLORIDA	S		X	X		
GEORGIA	S				X(a)	
HAWAII						X
IDAHO	R		X	X		
ILLINOIS	S				X	
INDIANA	S		X			
IOWA	R		X			
KANSAS	R		X			
KENTUCKY	S		X			
LOUISIANA	S			X(b)		
MAINE	S		X			
MARYLAND	R			X		
MASSACHUSETTS	S		X			
MICHIGAN	S		X			
MINNESOTA	S		X			
MISSISSIPPI	R	X				
MISSOURI	S		X			
MONTANA						X
NEBRASKA	R		X			
NEVADA	S	X				
NEW HAMPSHIRE	S		X			
NEW JERSEY	R		X			
NEW MEXICO	S,R		X	X		
NEW YORK	R		X			
NORTH CAROLINA	S		X			
NORTH DAKOTA	R		X			
OHIO						X
OKLAHOMA	R		X			
OREGON	R		X			
PENNSYLVANIA	S		X			
RHODE ISLAND						X
SOUTH CAROLINA	R		X			
SOUTH DAKOTA						X
TENNESSEE	S		X			
TEXAS						X
UTAH						X
VERMONT	S		X			
VIRGINIA	R				X	
WASHINGTON	S		X			
WEST VIRGINIA						X
WISCONSIN			X			
WYOMING						X

GUIDANCE AND COUNSELING PROGRAM

In most states the State Department of Education has established regulations concerning each district's guidance and counselling program. A guidance program is usually designed to assess and support the individual pupil's academic, social and vocational needs. In most states both elementary and secondary schools must have a guidance program before they can become accredited, although some states require that only secondary schools have a program.

Frequently the state establishes a pupil-to-staff ratio which forms part of the accreditation requirements. The average ratio is approximately 450 students to each full-time counsellor in secondary schools and 600 students to each counsellor in elementary schools. The ratios range from as low as 250 students per counsellor in Virginia to 800 students per counsellor in New Hampshire and North Dakota. Generally secondary school guidance programs require a lower ratio than elementary school programs. Occasionally, in states with several levels of accreditation, the state will assign a different pupil-to-staff ratio to each accreditation level.

Almost every state education agency which requires schools to have a guidance program the agency will also set up requirements for the types of services that must be available in that program. Almost all states require that any guidance personnel meet state requirements for certification in that field. Only a few states do not set any program requirements; however, in those states the district must submit a guidance program plan to the state agency for approval. Commonly the state education agency requires that the school or district have a testing program and keep cumulative records of students' progress. Many state's regulations specify that any guidance program must provide persons who are trained in giving career counselling. Only a few states require that guidance programs supply a guidance library for student's use. A few states require that the district or school have a staff psychologist.

Description of Headings for Chart on Guidance and Counselling Program

Statute or Regulation - Guidance and counselling requirements specified on this chart are covered by statutes (S) and/or regulations (R).

District Must Provide - The state requires (M) or recommends (D) that each school district provide a guidance program.

Requirement for Accreditation - Elementary or secondary schools must have a guidance and counselling program before they can be accredited.

Staff Requirements

1) Mandatory Certification - Any school with a guidance program must employ certificated counsellors.

2) Students/full-time Counsellors - Elementary and secondary schools must adhere to a certain ratio of students to each counsellor. For states with different levels of accreditation the student to counsellor ratio varies with each such level.

Program Specifications

1) State Approval - A school submits plan for its guidance program to the state education agency before the program can be adopted.

2) Testing Program - The counselling office administers standard intelligence tests, reading tests, or other aptitude tests.

3) Cumulative Records - The counselling office keeps test scores, grades and other pertinent information that can be used to assess the progress of the individual student.

4) Career Guidance - The counselling office is equipped to provide career guidance.

5) Guidance Library - A guidance library is available for students' use.

6) Provisions for a Psychologist - As a part of the guidance program the school may employ a staff psychologist.

7) Other - The state sets other program specifications.

Guidance and Counselling Program - footnotes

a) California - a guidance program is mandatory only for continuation education programs.
b) Florida - program for all grades and unemployed youth under 19.
c) Louisiana - program designed to identify abilities of students and help plan schedule.
d) Massachusetts - program to give occupational guidance to students 16-23 and assist in the detection and prevention of juvenile delinquency.
e) New Jersey - program focuses on special education and assists juvenile delinquents.
f) South Carolina - ratio applies to grades 5 through 8.
g) Tennessee - authorizes using social workers and psychologists for the prevention of non-attendance.
h) Utah - local boards may appoint a clinical psychologist to work with truants.
i) Virginia - one additional counsellor will be provided for each additional 400 students.

GUIDANCE AND COUNSELING PROGRAM

STATES	NO PROVISIONS	STATUTE AND/OR REGULATION	DISTRICT MUST PROVIDE	REQ FOR ACCREDIT		STAFF REQUIREMENTS				PROGRAM SPECIFICATIONS						
							STUDENTS/FULL-TIME COUNSELOR									
				Elementary	Secondary	Mandatory Certification	Elementary	Secondary	Varies w/ Accreditation Level	State Approval	Testing Program	Cumulative Records	Career Guidance	Guidance Library	Provisions for Staff Psychologist	Other
ALABAMA		R			X	X		500			X					
ALASKA		R														
ARIZONA		S			X								X			
ARKANSAS	X															
CALIFORNIA		S	D(a)								X		X			
COLORADO		S	D													
CONNECTICUT		S	D												D	
DELAWARE		R		X	X	X		300		X	X	X			X	
FLORIDA		R		X	X	X	600	600	X	X						(b)
GEORGIA		R		X	X					X	X		X			
HAWAII		R		X	X					X						
IDAHO		R		X	X			400				X	X	X		
ILLINOIS		R				X	600	600			X	X			X	
INDIANA		R			X			500								
IOWA		R		X	X								X			
KANSAS		R			X	X				X						
KENTUCKY		R	M			X							X	X		
LOUISIANA		R										X	X			(c)
MAINE	X															
MARYLAND		R														
MASSACHUSETTS		S			X								X			(d)
MICHIGAN	X															
MINNESOTA		R		X	X								X			
MISSISSIPPI		R		X	X	X		500	X		X					
MISSOURI		R		X	X	X	750	1 hr/80								
MONTANA		R		X	X	X		400						X		
NEBRASKA		S,R		X	X	X	450	450			X	X	X		X	
NEVADA	X															
NEW HAMPSHIRE		S,R		X	X		800	400			X				D	
NEW JERSEY		S,R				X							X			(e)
NEW MEXICO		R			X	X					X	X				
NEW YORK		S,R			X							X	X			
NORTH CAROLINA	X															
NORTH DAKOTA		R			X		800	500			X	X	X	X		
OHIO		R		X	X			400			X	X			X	
OKLAHOMA		R	M								X	X	X			
OREGON	X															
PENNSYLVANIA		R	M							X	X	X	X	X		
RHODE ISLAND		S											X			
SOUTH CAROLINA		S,R		X	X	X	500(f)	1 hr/125			X				X	
SOUTH DAKOTA	X															
TENNESSEE		R										X	X		X	(g)
TEXAS		R		X	X						X	X	X			
UTAH		S	D(h)													
VERMONT		R		X	X		300	300								
VIRGINIA		R		X	X	X		250(i)								
WASHINGTON		R		X	X			400			X	X	X			
WEST VIRGINIA	X															
WISCONSIN		R														
WYOMING	X															

HIGH SCHOOL GRADUATION REQUIREMENTS

The state education agency in most states specifies by regulation the number of credits needed to graduate from high school. Most states require that a student earn between 16-18 credits. Other states such as Florida and Minnesota, have organized their high schools to include only grades 10-12, resulting in a lower number of credits necessary for graduation. A student in California who is over 18 and who has not completed high school may earn a diploma by passing a high school equivalency test. In some other states students must pass a standardized test in addition to achieving the required credits. Furthermore, some states give their local board the discretion of adding course or credit requirements in addition to those set forth in the statute.

Description of Headings for Chart on High School Graduation Requirements

Total Credits Required - A pupil must earn a certain number of credits before he can graduate.

Total Electives - Of the number of credits required for graduation, a certain number is elective.

Pass Standardized Test - The state requires that the pupil pass a standardized test before he is awarded a diploma.

Local Requirements Opinion - The district board may impose additional requirements for graduation.

High School Graduation Requirements - footnotes

a) California - a person over 18 who has not completed high school may earn a diploma by achieving a test score equivalent to most high school graduates.
b) Credits earned in grades 10, 11, 12.
c) Georgia - standardized test in United States history only.
d) Credits calculated in semester hours.

HIGH SCHOOL GRADUATION REQUIREMENTS

STATES	Total Credits Required	Total Electives	Pass Standardized Test	Local Requirements Option	No Provisions
ALABAMA	20	7			
ALASKA	16	6½		Yes	
ARIZONA	16	8½			
ARKANSAS					X
CALIFORNIA			Yes (a)	Yes	
COLORADO					X
CONNECTICUT					X
DELAWARE	18	10½			
FLORIDA	15(b)	7			
GEORGIA	18	9	Yes (c)		
HAWAII	18	6			
IDAHO	18	8			
ILLINOIS	16				
INDIANA	16	8			
IOWA				Yes	
KANSAS	17	8			
KENTUCKY	18	10			
LOUISIANA	20	10			
MAINE					X
MARYLAND	18	6		Yes	
MASSACHUSETTS					X
MICHIGAN					X
MINNESOTA	12(b)	7		Yes	
MISSISSIPPI	16	4			
MISSOURI	16	6		Yes	
MONTANA	16	6½		Yes	
NEBRASKA	160(d)				
NEVADA	19	9½			
NEW HAMPSHIRE	16	8			
NEW JERSEY	92-100(d)			Yes	
NEW MEXICO	16	9			
NEW YORK	16	7½	Yes		
NORTH CAROLINA					X
NORTH DAKOTA	16	6		Yes	
OHIO	17	8			
OKLAHOMA	18	10½			
OREGON	21	10			
PENNSYLVANIA	13(b)	4	Yes		
RHODE ISLAND					X
SOUTH CAROLINA	18	8			
SOUTH DAKOTA					X
TENNESSEE	18	9		Yes	
TEXAS	16	6½			
UTAH					X
VERMONT	16	8			
VIRGINIA	18	3	Yes		
WASHINGTON	16	7½			
WEST VIRGINIA					X
WISCONSIN					X
WYOMING					X

INDIVIDUAL PUPIL RECORDS

Almost without exception state legislatures and departments of education have passed statutes and regulations pertaining to the establishment of records on individual pupils. Customarily, a state statute will mandate each school to collect records and will authorize the state education agency to develop regulations concerning those records. Those regulations cover a range of administrative areas, such as what the records still contain, who shall keep the records, and who has access to the records.

In general, most states require that a pupil's records contain biographical and attendance information. About half the states also require that a pupil's records contain the results of aptitude tests and health examinations. In addition, many states permit the local record-keeping agency to establish other categories of information that must be kept for each pupil.

In most cases, the local school has responsibility for maintaining record files; however, some states place that responsibility on the district level. In Hawaii, records may be kept at either level. In Montana, the district office keeps records only in rural districts.

Almost all state education agencies have developed regulations concerning access to a pupil's records. Many states permit both the student and his parents to inspect the records. Some states go a step further and grant the student or his parent discretionary authority over who may see the records. A few states have regulations specifically granting record access to any law enforcement agency or investigative body.

About half the states have regulations covering the permanence of records. Most often a state will require that a copy of records be transfered with a student who moves to another school district. In some states, the local record-keeping agency is required to destroy all pupil records after a certain time. On the other hand, some states, such as California, give the local agency the discretion to destroy records.

Description of Headings for Chart on Individual Pupil Records

Statute and/or Regulation - The state requires that school keep individual pupil records by statute and/or regulation.

Contents of Records

1) Biography - This category includes basic biographical information such as age, address, etc.

2) Attendance - This category includes a record of each pupil's attendance.

3) Testing - Testing information includes records of scores on intelligence and aptitude tests.

4) Health - Health records include information on school-conducted examinations, immunizations, infirmary visits, etc.

5) Local Discretion - The state explicitly grants the district the discretion to keep additional information.

Custodian of Records - The state requires that the district office and/or each school to keep copies of each pupil's records.

Access to Records - These columns indicate both who has access to records and who controls access to records.

1) Discretion of: a) Local School - The local school determines who can see a pupil's records. b) Parent - Pupil - An X indicates that the parent or pupil has discretion over who sees the records. An A indicates that the parent or pupil has access to the records.

2) All Interested Persons - All interested persons have access to a pupil's records.

3) Professional Staff - The professional staff (teachers and administrators) has access to a pupil's records.

4) Law Enforcement Agency - The state requires that schools release records to a law enforcement agency.

5) Confidentiality Provision - The state either requires that certain information remain confidential or requires that the district board develop regulations concerning confidentiality.

Permanence of Records

1) Mandatory Updating - A school or district must update all pupil information.

2) Provisions for Correction - Some mechanism is provided whereby a pupil's records can be corrected if they contain errors.

3) Copy of Records Transferred - If a pupil transfers to another school, district or state, the school must forward copies of his records.

4) Files Destroyed - The state requires that a pupil's records be destroyed a certain number of years after a pupil's graduation or transfer to another school.

5) Kept Indefinitely - The state requires that pupil records be kept indefinitely.

Pupil Records - footnotes

a) California - local legislation may be passed to destroy records.
b) Delaware - records are available to students over the age of 14.
c) Florida - records are transferred unless "severe injustice will be inflicted on the child".
d) Hawaii - records may be kept at either the local or the district level.
e) Hawaii - confidential information is removed from the files when it is no longer relevant.
f) Michigan - confidential communications between student and school are privileged against disclosure except by consent of student or parent.
g) Montana - county superintendents keep records for rural schools only.
h) Nevada - minimum requirement that schools use the standard transcript form recommended by the Northwest Association of Secondary Schools.
i) Wisconsin - statute refers to all local public records, including those kept by school districts.
j) Wisconsin - destruction occurs after giving public notice of intent to destroy obsolete records.

INDIVIDUAL - PUPIL RECORDS

STATES	STATUTE	REGULATION	CONTENTS OF RECORDS					CUSTODIAN OF RECORDS	
			Biographical	Attendance	Testing	Health	Local Discretion	District Officer	Local School
ALABAMA	S	R	X	X			X		
ALASKA		R	X	X		X	X		
ARIZONA									
ARKANSAS									
CALIFORNIA	S	R	X	X			X		X
COLORADO	S				X	X		X	
CONNECTICUT	S								
DELAWARE		R	X						X
FLORIDA		R							X
GEORGIA	S			X					X
HAWAII		R						X(d)	X(e)
IDAHO		R							X
ILLINOIS		R	X	X	X				
INDIANA	S								
IOWA	S	R					X		X
KANSAS	S		X	X					X
KENTUCKY	S		X	X	X	X		X	X
LOUISIANA									
MAINE	S	R	X						
MARYLAND	S	R		X					X
MASSACHUSETTS		R							
MICHIGAN	S								
MINNESOTA		R		X			X	X	
MISSISSIPPI	S			X	X	X			
MISSOURI	S						X	X	
MONTANA		R						X(g)	X
NEBRASKA	S	R		X		X		X	X
NEVADA		R	X(h)				X		X
NEW HAMPSHIRE		R	X	X			X		
NEW JERSEY	S	R					X		
NEW MEXICO		R	X	X					X
NEW YORK	S	R							X
NORTH CAROLINA	S		X	X					
NORTH DAKOTA		R	X	X	X	X	X		
OHIO	S		X	X	X	X		X	
OKLAHOMA		R							
OREGON	S	R							X
PENNSYLVANIA	S		X	X	X	X			
RHODE ISLAND									
SOUTH CAROLINA		R	X	X				X	X
SOUTH DAKOTA									
TENNESSEE		R		X					
TEXAS	S	R							
UTAH		R							
VERMONT		R	X	X	X	X	X		
VIRGINIA		R	X	X	X	X	X		X
WASHINGTON	S		X	X	X				X
WEST VIRGINIA	S			X					
WISCONSIN	S(i)								
WYOMING	S			X					

INDIVIDUAL - PUPIL RECORDS

STATES	ACCESS TO RECORDS							PERMANENCE OF RECORDS				
	DISCRETION OF:											
	Local School	Parent	Student	All Interested Persons	Professional Staff	Law Enforcement Agency	Confidentiality Provision	Mandatory Up Dating	Provisions for Correction	Copy of Records Transferred	Files Destroyed	Kept Indefinitely
ALABAMA								X		X		X
ALASKA	X				X			X		X		X
ARIZONA												
ARKANSAS												
CALIFORNIA		A	AX		X	X	X		X	X		X(a)
COLORADO	X		A			X	X					
CONNECTICUT			A									
DELAWARE			A(b)		X		X			X		
FLORIDA										X(c)		
GEORGIA												
HAWAII	X	X					X			X	X	
IDAHO			A		X			X				
ILLINOIS		X	X		X		X					
INDIANA			A						X			
IOWA	X				X		X			X		
KANSAS										X		
KENTUCKY					X		X			X		
LOUISIANA												
MAINE		AX	AX		X		X	X		X		
MARYLAND			A				X				X	
MASSACHUSETTS			A									
MICHIGAN		X	X				X(f)					
MINNESOTA			A						X		X	
MISSISSIPPI												
MISSOURI				X							X	
MONTANA												
NEBRASKA		A	A		X			X			X	
NEVADA												
NEW HAMPSHIRE												
NEW JERSEY					X	X	X					
NEW MEXICO	X	A	A		X		X					
NEW YORK		A	AX				X		X		X	
NORTH CAROLINA			X			X						
NORTH DAKOTA							X					
OHIO		A	A									
OKLAHOMA		A	A									
OREGON		AX	AX		X		X			X		
PENNSYLVANIA		X	X				X		X		X	
RHODE ISLAND												
SOUTH CAROLINA								X		X		
SOUTH DAKOTA												
TENNESSEE		X	X									
TEXAS		X	X									
UTAH							X					
VERMONT												
VIRGINIA		A	A		X			X			X	X
WASHINGTON		A										X
WEST VIRGINIA												
WISCONSIN				X							X(j)	
WYOMING		A	A									

IN-SERVICE TRAINING

In most of the states that have in-service training programs, the training takes place on the district level. Only about half the states have developed statutes or regulations dealing with training programs. This figure is deceptive however, since many of these district programs apply to teachers in certain subjects only. Tennessee's school regulations provide in-service training to special education teachers only. In Louisiana each district must provide in-service training to teachers of vocational education only. Other state agencies outline programs with similar limitations on in-service training requirements. The net result is that very few states have a broad and well-developed program of in-service training.

Although few states define any training program, fewer still elaborate on teachers' attendance requirements. In only three states regulations require that all teachers attend training. In only three other states, the district board selects the teachers who must attend a training session. In the remaining states with in-service training programs, state codes and regulations are silent as to the attendance of teachers.

Description of Headings for Chart on In-Service Training

Statutory Requirements for In-Service Training - The legislature requires that the state education agency or the district provide in-service training.

Annual District Conference - The state requires that each district sponsor an annual training conference which is customarily held at the beginning of each school year.

District Must Provide Training - Besides the annual conference, the State requires that the district provide other in-service training.

District Selects Teachers for Training - When a district sets up a training program, the district also selects those teachers who must participate in the training.

All Teachers Must Attend Training - When a district sets up a training program all teachers must attend.

In-Service Training - footnotes

1) Arkansas - State provides study scholarships for special education teachers.
2) California - District superintendent selects persons to attend annual district conferences.
3) Idaho - District board may establish uniform requirements for in-service training of certificated personnel.
4) Iowa - The county superintendent arranges for teachers' meetings.
5) Louisiana - Training for teachers of vocational education only.
6) Teachers awarded academic credit for training.
7) Nevada - Training must be provided if duties of a teaching position are "unalterably changed."
8) New Jersey - State shall provide training for vocational teachers "as necessary."
9) New Jersey - All teachers must attend a drug education program.
10) South Carolina - Teachers have discretion to attend training.
11) Tennessee - Only statutory provision is for training of special education teachers.

IN-SERVICE TRAINING

STATES	STATUTORY REQUIREMENTS FOR IN-SERVICE TRAINING	ANNUAL DISTRICT CONFERENCE	DISTRICT MUST PROVIDE TRAINING	DISTRICT SELECTS TEACHERS FOR TRAINING	ALL TEACHERS MUST ATTEND TRAINING	NO PROVISIONS
ALABAMA		M	X			
ALASKA						X
ARIZONA	X					
ARKANSAS	(1)					
CALIFORNIA	X	M(2)	X	(2)		
COLORADO	X		X			
CONNECTICUT						X
DELAWARE	X					
FLORIDA	X					
GEORGIA					X	
HAWAII						X
IDAHO	(3)					
ILLINOIS	X					
INDIANA			X			
IOWA	(4)					
KANSAS						X
KENTUCKY	X	D				
LOUISIANA	X(5)		X(5)			
MAINE	X					
MARYLAND	X		X(6)			
MASSACHUSETTS						X
MICHIGAN	X					
MINNESOTA	X					
MISSISSIPPI			X			
MISSOURI	X		X			
MONTANA	X					
NEBRASKA			X	X		
NEVADA			X(7)			
NEW HAMPSHIRE			X			
NEW JERSEY	X(8)		X		X(9)	
NEW MEXICO						X
NEW YORK						X
NORTH CAROLINA	X					
NORTH DAKOTA	X		X			
OHIO						X
OKLAHOMA						X
OREGON						X
PENNSYLVANIA						X
RHODE ISLAND						X
SOUTH CAROLINA		M	X(10)			
SOUTH DAKOTA			X		X	
TENNESSEE			X(11)			X
TEXAS						X
UTAH						X
VERMONT						X
VIRGINIA	X		X(6)	X		
WASHINGTON		M				
WEST VIRGINIA	X					
WISCONSIN	X		X			
WYOMING						X

M - mandatory

D - discretionary

LIBRARIES

Almost all states have established requirements for school libraries. Most state education agencies require that each elementary and secondary school have a library as a part of its educational resources. A few states require libraries only in schools which exceed a certain enrollment. In Montana, for example, only schools with an enrollment above 350 pupils must have a library. Some states do not require that elementary schools contain libraries and require only that each secondary school have a library. Only a handful of states have chosen to centralize library resources at a district library which services schools of all levels within that district. In addition, most states which have library requirements also require that those libraries be staffed by certificated librarians.

Many states have set up minimum standards for each library's book collections. Frequently state regulations will specify both a minimum collection requirement and a minimum per pupil requirement. In most states these two minimum requirements vary with the size of the school so that the larger the school's enrollment the larger its book collection requirements.

About half the states have established acquisition standards. State acquisition standards usually require that each library have a certain distribution of books in the minimum collection; that is, a certain percentage of reference works, fiction titles, non-fiction titles, etc. Some state standards are of sufficient detail to require specific titles.

Besides book collection requirements most states have regulations which specify other library requirements. Most states specify that a library's collections must include non-book materials, such as a certain number of periodical and newspaper subscriptions. Similarly, most states require that libraries possess certain equipment such as tape recorders or movie projectors. Fewer states have floor space requirements for libraries.

To ensure continued expansion of school libraries, some states have set minimum annual expenditure requirements for libraries.

Description of Headings for Chart on Libraries

School Libraries Mandatory

1) By School - The state requires that each elementary school (E) and/or each secondary school (S) provide library services.

2) By District - The state requires that each district provide library services.

State Must Prescribe Regulations - The legislature requires by statute that the state education agency prescribe regulations concerning the use and availability of libraries.

Required Book Collection in Secondary Schools -

1) Minimum per School - A school is required to have a certain minimum number of books in its collection.

2) Minimum per Pupil - A library is required to have a certain minimum number of books per pupil.

3) State Acquisition Requirements - The state establishes requirements for the acquisition of book collections. These requirements usually include a list of essential reference works and distribution requirements for types of books.

Other Requirements -

1) Trained Librarian - Elementary schools (E) and/or secondary schools (S) are required to have a certificated librarian.

2) Non-book Collection - The state establishes requirements for instructional materials other than books, such as periodicals and newspapers.

3) Instructional Equipment - The state establishes requirements for instructional equipment such as audio-visual equipment.

4) Space - The state education agency establishes requirements for library space.

Minimum Annual Expenditure - A school or district must meet certain minimum annual expenditure requirements.

Libraries - footnotes

a) Florida - Book collection requirements vary with enrollment: Fewer than 600 pupils, 1250 books; 600-1200 pupils, 1750 books; more than 1200 pupils, 2250 books.
b) Illinois - Standards contain different levels of progress: Phase I - 3000 titles or 6 volumes per pupil; Phase II - 5000 titles or 10 volumes per pupil; Phase III - 10,000 titles or 20 volumes per pupil.
c) Iowa - Book collection requirements vary with enrollment: Fewer than 500 pupils, 7 books per pupil; 500-2000 pupils, 4 books per pupil; more than 2000 pupils, 3 books per pupil.
d) Kentucky - Elementary schools with more than 8 teaching units must have a librarian.
e) Montana - In districts with an enrollment above 350 pupils.
f) New Mexico - Number of volumes per pupil varies with enrollment: Fewer than 200 pupils, 2500 volumes; 200-499 pupils, 2500 plus 8 books for each pupil over 200; 500-999 pupils, 4900 plus 6 books for each pupil over 500; 1000-1999 pupils, 7900 plus 4 books for each pupil over 1000, over 2000 pupils, 11,900 plus 3 books for each pupil over 2000.
g) New York - In high schools with an enrollment above 500 pupils.
h) Tennessee - Requirement will be 10 per pupil in 1976.
i) Tennessee - A trained librarian is required if school has more than 30 teachers.
j) Texas - The state board requires that each school provide a "broad range" of printed and non-printed instructional resources.
k) Vermont - Number of volumes varies with the enrollment: Fewer than 100 pupils, 1000 books; 101-300 pupils, 1500 books; 301-500 pupils, 2000 books; 501-1000 pupils, 2500 books.
l) Wyoming - District boards authorized to appropriate money for libraries.

LIBRARIES

STATES	NO PROVISIONS	SCHOOL LIBRARIES MANDATORY		STATE MUST PRESCRIBE REGULATION	REQUIRED BOOK COLLECTION IN SECONDARY SCHOOLS			OTHER REQUIREMENTS				MINIMUM ANNUAL EXPENDITURE
		By School	By District		Minimum Per School	Minimum Per Pupil	State Acquisition Requirements	Trained Librarian	Non book Collection	Instructional Equipment	Space	
ALABAMA		S			1000		X	S	X	X		X
ALASKA				X								
ARIZONA			S	X								
ARKANSAS	X		ES					ES	X	X		
CALIFORNIA				X					X	X		
COLORADO				X								
CONNECTICUT				X								
DELAWARE	X											
FLORIDA			ES	X	1250(a)			ES	X	X	X	
GEORGIA				X			X		X	X		X
HAWAII									X			
IDAHO		S	E	X	2400		X					X
ILLINOIS		S		X	(b)			S	X	X	X	X
INDIANA		ES		X					X	X		
IOWA		S		X	1200	7(c)	X	S	X			X
KANSAS			ES	X	1200	10		ES	X	X		
KENTUCKY		S	E	X	750			ES(d)	X	X		X
LOUISIANA	X											
MAINE							X					
MARYLAND			ES	X	5000	10	X	ES	X			
MASSACHUSETTS	X											
MICHIGAN				X					X	X		
MINNESOTA		ES		X			X	ES	X	X	X	
MISSISSIPPI				X	500	4	X	S	X	X	X	
MISSOURI		ES		X			X	ES	X	X		
MONTANA		ES(e)						S	X	X	X	X
NEBRASKA		ES		X	1200		X		X	X		
NEVADA		ES					X					X
NEW HAMPSHIRE		ES		X	6000	10		ES	X			
NEW JERSEY		ES									X	
NEW MEXICO		ES		X	2500	(f)	X	ES	X	X	X	X
NEW YORK		ES		X	3000(g)							X
NORTH CAROLINA							X					
NORTH DAKOTA		ES		X	2300	10	X	ES	X	X	X	
OHIO	X											
OKLAHOMA		ES						ES				X
OREGON	X											
PENNSYLVANIA	X											
RHODE ISLAND	X											
SOUTH CAROLINA		ES		X	3000		X	ES	X			X
SOUTH DAKOTA				X								
TENNESSEE		ES				8(h)	X	S(i)	X	X	X	
TEXAS		S			(j)				(j)	(j)		
UTAH				X			X					
VERMONT		S			1000(k)				X	X	X	
VIRGINIA		ES						S				
WASHINGTON		S		X	2000	7		S	X	X	X	X
WEST VIRGINIA			ES									
WISCONSIN				X				ES				
WYOMING			(l)									

E - elementary
S - secondary

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PROMOTION REQUIREMENTS

Very few states have developed promotion requirements. In those that have requirements, most are found in regulations rather than statutes. Of the dozen states that have requirements half have quantifiable criteria for promotion. In those states a child must attend school for a certain number of days of the year before he will be promoted, as in Alabama, Idaho, South Carolina and Virginia. In Virginia this minimum attendance requirement is coupled with a testing requirement.

In half a dozen other states the promotion requirements are based on a more subjective standard. For example in Alabama a pupil is promoted if he progressed "within the limits of his ability". Similarly, in Hawaii, promotion is based on a teacher's evaluation of a pupil's performance in relation to his ability.

Description of Headings for Chart on Promotion Requirements

Statute or Regulation - Statutes (S) and/or regulations (R) cover the state's promotion requirements.

Minimum Attendance - A student must attend school a certain number of days during a calendar year if he is to be promoted.

Pass Standardized Test - The state requires that a student pass a standardized test before he is promoted.

Other - Some states have additional requirements which are specified in a footnote.

Promotion Requirements - footnotes

a) Alabama - A pupil is promoted if he has progressed "within the limits of his ability."
b) Arizona - A pupil must have "writing and communication" skills to be promoted from the sixth grade.
c) Hawaii - Promotion is based on performance in relation to a pupil's ability.
d) Mississippi - A pupil must have satisfactorily completed the earlier grade.

PROMOTION REQUIREMENTS

STATES	STATUTE OR REGULATION	NO PROVISIONS	MINIMUM ATTENDANCE (in days)	PASS STANDARDIZED TEST	OTHER
ALABAMA	R		155		X(a)
ALASKA		X			
ARIZONA					X(b)
ARKANSAS		X			
CALIFORNIA		X			
COLORADO		X			
CONNECTICUT		X			
DELAWARE		X			
FLORIDA	S,R				X
GEORGIA		X			
HAWAII	R				X(c)
IDAHO	R		153		
ILLINOIS		X			
INDIANA		X			
IOWA		X			
KANSAS		X			
KENTUCKY		X			
LOUISIANA		X			
MAINE		X			
MARYLAND		X			
MASSACHUSETTS		X			
MICHIGAN		X			
MINNESOTA		X			
MISSISSIPPI	R				X(d)
MISSOURI		X			
MONTANA		X			
NEBRASKA		X			
NEVADA		X			
NEW HAMPSHIRE		X			
NEW JERSEY		X			
NEW MEXICO		X			
NEW YORK		X			
NORTH CAROLINA		X			
NORTH DAKOTA		X			
OHIO		X			
OKLAHOMA		X			
OREGON		X			
PENNSYLVANIA		X			
RHODE ISLAND		X			
SOUTH CAROLINA	R		150		
SOUTH DAKOTA		X			
TENNESSEE		X			
TEXAS		X			
UTAH		X			
VERMONT		X			
VIRGINIA	R		160	X	
WASHINGTON		X			
WEST VIRGINIA		X			
WISCONSIN		X			
WYOMING		X			

PUPIL LOAD-CLASS SIZE FOR AN INDIVIDUAL TEACHER

A pupil load requirement is a requirement that sets a maximum on the teaching schedule that a teacher may carry and/or sets a maximum on the number of pupils a teacher may supervise. The maximum teaching schedule is based on the number of hours during the day or week that a teacher may conduct classes. The maximum teaching schedule averages about five times a day. Such an average would allow teachers an hour a day preparation time. A teacher's pupil load refers to the maximum number of pupils a teacher may supervise each day. The average teacher's maximum load is 150 students although for some states a teacher's load can range upward to 180 students.

Many states regulate the size of individual classrooms limiting the number of pupils that can enroll in a particular class. Maximum class sizes range from 28 to 35 pupils with most states having 30 as a maximum size. Most of the states which regulate class size also make exceptions for certain classes, such as music, typing and physical education classes where individualized instruction is less essential.

Description of Headings for Chart on Pupil Load - Class Size for an Individual Teacher

Maximum Teaching Schedule - The state sets a limit on the number of hours a teacher is permitted to teach each week.

Teacher's Maximum Pupil Load - The state sets a limit on the number of pupils a teacher is to teach each day.

Class Size in Secondary School

1) Maximum - The number of pupils in a regular or laboratory classroom may not exceed a certain number.

2) Minimum - No class may have an enrollment of fewer than a certain number of students.

Size Requirements for Multi-grade Classrooms - The state sets forth size requirements for classrooms that contain more than one grade level.

Pupil Load - Class Size - footnotes

a) Figure does not include students in study halls.
b) Figure does not apply to typing, music and physical education courses.
c) Each study hall counts as 15 students.
d) Typing and physical education classes count for 2/3 enrollment.
e) Exclusive of classes in physical education, applied music and art.
f) Strongly recommended.
g) New Jersey - class size shall be "reasonably limited" for teacher to attend [illegible] individual needs of pupils.
h) South Carolina - study hall enrollments are divided by 4.
i) Tennessee - 30 for elementary schools.
j) Vermont - English is restricted to 100 a day.

PUPIL LOAD - CLASS SIZE FOR AN INDIVIDUAL TEACHER

STATES	MAXIMUM TEACHING SCHEDULE	TEACHER'S MAXIMUM PUPIL LOAD PER DAY	CLASS SIZE IN SECONDARY SCHOOL			SIZE REQUIREMENTS FOR MULTI-GRADE CLASSROOMS	NO PROVISIONS
			MAXIMUM		Minimum		
			Regular	Lab Subject			
ALABAMA	6 hrs/day	150(a)	35(b)		10		
ALASKA							X
ARIZONA							X
ARKANSAS							X
CALIFORNIA							X
COLORADO							X
CONNECTICUT							X
DELAWARE							X
FLORIDA							X
GEORGIA							X
HAWAII							X
IDAHO		160(d)	30(b)			X	
ILLINOIS							X
INDIANA							X
IOWA							X
KANSAS	6 classes/day						
KENTUCKY		150	30		10		
LOUISIANA							X
MAINE			30				
MARYLAND			28				
MASSACHUSETTS							X
MICHIGAN							X
MINNESOTA		160(e)	30				
MISSISSIPPI		150	30				
MISSOURI	25 hrs/wk	180(a)	35(b)				
MONTANA	28 hrs/wk	160(c)	30(b)			X	
NEBRASKA			35(b)			X	
NEVADA							X
NEW HAMPSHIRE	5 classes/day	125(f)					
NEW JERSEY			(g)				
NEW MEXICO							X
NEW YORK	5 hrs/day	150					
NORTH CAROLINA		150	35				
NORTH DAKOTA			30(b)	24	6		
OHIO		180					
OKLAHOMA	6 hrs/day	160(e)					
OREGON							X
PENNSYLVANIA							X
RHODE ISLAND							X
SOUTH CAROLINA	5 hrs/day	150(h)	35(b)		10	X	
SOUTH DAKOTA							X
TENNESSEE	7 classes/day		35(i)				
TEXAS		150(a)	35	30			
UTAH							X
VERMONT		150(j)		24			
VIRGINIA		150	35				
WASHINGTON							X
WEST VIRGINIA							X
WISCONSIN							X
WYOMING							X

PUPIL-TEACHER RATIO FOR GRADES, SCHOOLS AND DISTRICTS

A pupil-teacher ratio is a requirement that there be a minimum number of teachers in a grade, school or district where there is a certain number of students. Though not all states prescribe a pupil-teacher ratio, most do and issue regulations that specify the requirement. In most states the ratio is a condition for receiving and maintaining accreditation status. Schools and/or districts that fail to observe the requirement will lose recognition by the state education agency, since the ratio is frequently an express prerequisite for state aid.

Usually the requirement will explain how to count the students and teachers. Sometimes the method resembles the formula used for calculating state aid; thus the number of students used in determining the ratio is based on the average daily attendance (ADA), the average daily membership (ADM) or the total enrollment (TE). Most states use the total enrollment of students. Nearly all states count the number of full-time certified staff. Florida and South Carolina also count the number of full-time teacher aides, adding one-half the figure to the total. In Iowa and Texas the local school board establishes the ratio.

The pupil-teacher ratio varies according to grade level. While most states require fewer students per teacher in the lower grade levels, there are several states which authorize fewer students per teacher in secondary schools. Most ratios average around 25:1, the number of students ranging from 15 to 35.

Description of Headings for Chart on Pupil-Teacher Ratio

Statute or Regulation - Pupil-teacher ratio requirements are covered by statutes (S) and/or regulations (R).

Local Discretion - The local district board establishes the pupil-teacher ratios.

Accreditation Requirement - A school must meet pupil-teacher ratio requirements before it is accredited.

Pupils Counted - The number of students used in calculating the ratio is based on the average daily attendance (ADA), the average daily membership (ADM), or the total enrollment (TE).

Teachers Counted - The number of teachers used in calculating the ratio is based on the number of full-time certificated staff members or the equivalent thereof.

Ratios - Each grade level must adhere to a specific pupil-teacher ratio. The figure indicates the number of students per full-time teacher.

Pupil-Teacher Ratio - footnotes

a) See Pupil Load - Class Size chart for similar requirements.
b) Florida - teachers are counted on the following basis:
    full-time teacher = 1
    full-time teacher aide = 1/2
    full-time clerical teacher aide = 1/4
c) Indiana - ratio applies to school with enrollment above 250. Ratio requirements vary slightly for combined elementary - secondary schools.
d) Kansas - ratio varies with the size of the district:
    less than 1000 =15
    1000 - 2000 =16
    2000 - 3000 =17
    3000 - 4000 =18
    4000 - 10,000 =19
    more than 10,000 =20
e) Massachusetts - regulations unavailable
f) Mississippi - ratio varies with level of accreditation: for Class AA high schools a 25:1 ratio is required.
g) New Jersey - ratio should be kept at a level to provide opportunity for a "reasonable amount of attention by the teachers to the individual needs of pupils."
h) South Carolina - teacher aides are counted 1/2 as long as they are under the supervision of a teacher and comprise no more than 10% of the staff.
i) Tennessee - the ratio varies from 20:1 to 30:1 depending on the size of the school.
j) Texas - state guidelines require a "reasonable ratio."

PUPIL-TEACHER RATIO FOR GRADES, SCHOOLS AND DISTRICTS

STATES	NO PROVISIONS	STATUTE AND/OR REGULATION	LOCAL DISCRETION	ACCREDITATION REQUIREMENT	PUPILS COUNTED	TEACHERS COUNTED	RATIOS BY GRADE LEVEL			
ALABAMA	(a)									
ALASKA	X									
ARIZONA	X									
ARKANSAS	X									
CALIFORNIA		S		X	TE	F-T	9-12:25			
COLORADO	X									
CONNECTICUT	X									
DELAWARE		S		X	TE	F-T	1-6:25	7-12:20		
FLORIDA		R		X	ADM	F-T(b)	K:25	1-3:27	4-6:30	7-12:30
GEORGIA		S		X	ADA	F-T	1-3:25	4-7:28	8-12:25	
HAWAII	X									
IDAHO		R		X	TE	F-T	K-12:25			
ILLINOIS		S			ADA	F-T	K-6:32	7-9:28	10-12:25	
INDIANA		R					1-3:30	4-8:34	9-12:28(c)	
IOWA			X							
KANSAS		S		X	TE	F-T	(d)			
KENTUCKY		R			TE	F-T	K:20			
LOUISIANA	X									
MAINE		R		X			1-12:30			
MARYLAND		S			TE	F-T	K-12:46 per 1000			
MASSACHUSETTS		R					(e)			
MICHIGAN		S		A	TE	F-T	K-12:34			
MINNESOTA	(a)									
MISSISSIPPI		R		X	TE	F-T	9-12:30(f)			
MISSOURI		R		X	TE	F-T	K-12:30			
MONTANA		R		X	TE	F-T	K-12:25			
NEBRASKA		R			TE	F-T	K-8:32	9-12:27		
NEVADA		R		X	TE	F-T	K-12:25			
NEW HAMPSHIRE	(a)									
NEW JERSEY		R					(g)			
NEW MEXICO		S, R			ADM	F-T	K-12:25			
NEW YORK	(a)									
NORTH CAROLINA		S			TE	F-T	1-3:26	4-8:33	9-12:35	
NORTH DAKOTA		R			TE	F-T	K-12:30			
OHIO		R			TE	F-T	K-8:30	9-12:27		
OKLAHOMA	(a)									
OREGON		R		X	TE	F-T	1-3:25	4-8:30		
PENNSYLVANIA		S			ADM	F-T	K-6:30	7-12:22		
RHODE ISLAND	X									
SOUTH CAROLINA		R		X	ADA	F-T(h)	K-8:28	9-12:35		
SOUTH DAKOTA	X									
TENNESSEE		S, R			ADA	F-T	(i)			
TEXAS		R	X	X	TE	F-T	(j)			
UTAH	X									
VERMONT	(a)									
VIRGINIA		R		X	ADM	F-T	K:20	1-7:30	8-12:25	
WASHINGTON		S		A	TE	F-T	K-12:30			
WEST VIRGINIA	X									
WISCONSIN	X									
WYOMING	X									

A - requirement for state aid

ADA - average daily attendance

ADM - average daily membership

F-T - equivalent of full-time certified staff

TE - total enrollment

PUPIL TRANSPORTATION

In almost all states the responsibility for providing pupil transportation rests with the local school districts. However, the districts are almost equally divided between having mandatory and discretionary provisions. If the provision is mandatory, the state either unconditionally requires that the district provide pupil transportation or requires that the district provide transportation to pupils if they live a certain number of miles from school. Similarly, if the provision is discretionary, the district may either have total discretion in providing pupil transportation or it may have discretion to provide transportation only to pupils if they live a certain number of miles from school. A state usually will not reimburse the district for the cost of transporting students who live within the discretionary distance outlined by the state.

Transportation distances vary considerably from state to state. California districts must provide transportation to primary school students who live 3/4 mile from school; whereas Missouri districts must provide transportation to students only if they live 3 1/2 miles from school. A few states, such as New York and Delaware, set different distance standards for elementary and secondary schools. In this situation secondary school students must live farther from school than elementary school students before the district must provide transportation.

A few states require that district provide transportation but do not prescribe any specific distance requirements; instead they establish a standard which allows the district a certain amount of discretion. In Kentucky and Vermont, for example, a district must provide transportation to a student who does not live within a "reasonable walking distance" of school. In Rhode Island a district must provide transportation to students whose attendance would otherwise be impractical.

In all states the routing of school buses is a task left to the local districts, although half the state education agencies have established regulations concerning bus routes. A few state education agencies have passed regulations which not only guide the district in drawing the routes but also require that the district submit the route plans to the state agency for final approval.

In most instances state education agencies have developed thorough regulations concerning bus equipment. Some states have assembled their regulations for bus and safety equipment into booklets which have more than a hundred pages.

About half the states have requirements for school bus inspections in the school code; however, it is probable that the remaining states have provisions elsewhere in the state code. Only a few states have requirements for bus driver's qualifications such as a certificate or a special license. Again, it is likely that these provisions appear elsewhere in the State code.

Description of Headings for Chart on Pupil Transportation

Mandatory - Either the state unconditionally requires that the district provide pupil transportation or the state requires that the district provide transportation to pupils if they live a certain number of miles from school.

Discretionary - The district may have total discretion in providing pupil transportation or it may have discretion to provide transportation only to pupils who live a certain number of miles from school.

State Regulation of Bus Routes - The state regulates certain aspects of bus routes such as maximum length of route, length of walk to bus, etc.

Equipment -

1) Detailed Specifications - The state provides detailed specifications for buses on such items as seating, capacity, windows, etc.

2) Inspection - The state requires a periodic inspection of school buses.

Bus Drivers -

1) Chauffeur's License - Before a person can drive a school bus, he must have a chauffeur's license.

2) Certificate Required - Before a person can drive a school bus, he must have the qualifications necessary to obtain a school bus driver's certificate.

Pupil Transportation - footnotes

a) Alaska - Students living closer must pay for transportation.
b) California - State aid to districts in support of transportation is based on the following schedule: grades K-3, 3/4 mile; grades 4-8, 1 mile; grades 9-12, 2miles.
c) Connecticut - State aid to towns providing transportation is not based on individual pupil's distance from school.
d) A district must provide transportation if a pupil does not live within a "reasonable" walking distance of school.
e) Maine - School directors have discretion to determine distances.
f) Maryland - Statute provides state will pay necessary cost of transportation.
g) New Mexico - A district must provide transportation to pupils according to the following schedule: grades 1-6, 1 mile; grades 7-9, 1 1/2 miles; grades 10-12, 2miles.
h) Oklahoma - A district may provide transportation to pupils who would be subjected to safety hazards.
i) Pennsylvania - This distance applies only to pupils living in districts with a population between 5,000 and 500,000.
j) Rhode Island - Districts must provide transportation to pupils whose attendance would otherwise be impracticable.
k) South Carolina - Minimum distance requirement is waived for handicapped persons.

PUPIL TRANSPORTATION

STATES	MANDATORY		DISCRETIONARY		STATE REGULATION OF BUS ROUTES	EQUIPMENT		BUS DRIVER	
		For Pupils Living Certain Distance)in miles)				Detailed Specifications	Inspection	Certificate Required	Chauffeur's License
ALABAMA							X	X	
ALASKA			1½(a)		X	X		X	
ARIZONA				X					
ARKANSAS				X		X	X	X	
CALIFORNIA			(b)	X	X	X	X		
COLORADO				X					
CONNECTICUT				(c)					
DELAWARE		K-8: 1 7-12: 2				X	X		
FLORIDA			2			X	X		X
GEORGIA		1½			X	X			X
HAWAII				X		X	X	X	
IDAHO			1½			X	X	X	
ILLINOIS			1½			X	X		X
INDIANA			1½			X	X	X	
IOWA		1				X	X		
KANSAS			2½			X			
KENTUCKY	X(d)				X	X	X	X	
LOUISIANA			1			X			
MAINE		(e)				X	X	X	
MARYLAND		(f)	(f)			X	X	X	
MASSACHUSETTS		1½							
MICHIGAN		1½			X	X	X		
MINNESOTA		1				X	X		X
MISSISSIPPI		1				X			
MISSOURI		3½	1		X	X	X		X
MONTANA		3			X		X		X
NEBRASKA				X		X		X	
NEVADA				X		X	X		X
NEW HAMPSHIRE			K-9: 2½	10-12					
NEW JERSEY			2½			X			
NEW MEXICO		(g)			X				
NEW YORK		K-8: 2 9-12: 3			X	X			
NORTH CAROLINA			1½				X	X	
NORTH DAKOTA				X	X		X	X	
OHIO		K-8: 2		9-12				X	
OKLAHOMA			1½	(h)	X	X			
OREGON				X		X	X	X	
PENNSYLVANIA		1½ (i)		X		X		X	
RHODE ISLAND	X(j)								
SOUTH CAROLINA			1½	(k)		X		X	
SOUTH DAKOTA				X			X		X
TENNESSEE			1½			X	X	X	
TEXAS			2		X	X			
UTAH		2½	K-6: 1½ 7-12: 2			X			
VERMONT	X(d)								
VIRGINIA				X		X	X		
WASHINGTON		2			X			X	X
WEST VIRGINIA		2				X			
WISCONSIN		2			X	X	X	X	
WYOMING				X	X			X	

SAFETY AND HEALTH REQUIREMENTS

In most states, the state board of education has the duty to prescribe health and safety regulations. A few states, however, vest the local board with the authority to determine all or most of the safety and health regulations. For example, local boards in New Hampshire have the discretion to require that health personnel be available to pupils. Only about one quarter of the states require that health personnel be present at the school. Still fewer states explicitly require that each school have an infirmary.

As a part of their health policies, more than half of the states require that all pupils have a physical examination. This examination must take place either when they enter school for the first time or every few years while they are in school. The responsibility for the examination customarily rests with the school, although a few states require that the parents provide for the examination. Many states allow the child's family physician to perform the examination even if the school provides that service. Nearly all the states require both a general physical and a special eye examination, while only a quarter of the states require hearing or dental examinations.

About half the states have provisions for immunization, usually as mandatory precondition to enrollment. In contrast to physical examination provisions, the parents have the responsibility for the immunizations in more cases than do the schools. In a few cases, however, the school or public health officer will immunize a pupil if his parents are unable to afford the medical expense.

Miscellaneous provisions in this area include safety goggle requirements, specifications for fire extinguishers and fire drills. Some states have discretionary provisions for fall-out shelters.

Description of Headings for Chart on Safety and Health Requirements

State Must Prescribe Regulations - The state legislature requires that the state education agency prescribe regulations for safety and health requirements.

Requirements Locally Determined - The state requires that each district board develop safety and health regulations.

Pupil Services - States which have enacted or promulgated health requirements usually describe the specific level of pupil health services that a school must provide.

1) Infirmary - The state requires that each school provide an infirmary.

2) Nurse - The state requires that each district or school have a registered nurse on the premises.

3) Doctor - The state requires that each school or district have access to the services of a doctor.

Physical Examination - As a part of their health policy some states require that all pupils have a physical examination either when they enter a school or every few years during their education.

1) Provided by Parent/School - The school or the parent or guardian must provide any physical examination that is required of a pupil.
2) General, Dental, Visual, Hearing - The state requires that each pupil undergo a general examination and/or examinations of his teeth, eyes or ears.

Immunization - Usually as a pre-condition to enrollment, the state may require that all pupils, unless excused for religious or other reasons, be immunized against certain diseases.

1) State Requirement - The state requires that all pupils be immunized against the prescribed diseases.

2) Provided by Parent/School - The school or the parent or guardian must provide any required immunization.

Safety and Health Requirements - footnotes

a) Local boards are given discretion to provide certified persons for health care.
b) If the parent is unable to afford, the school or local board of health must provide.
c) Georgia - State board requires that local school systems provide medical services.
d) Hawaii - Parents have the option of providing examination or of authorizing a school physician to conduct it.
e) Illinois - Regulations prescribed by the Department of Mental Health.
f) New York - Medical exams are provided for all pupils except those in New York, Buffalo and Rochester.
g) North Dakota - If the required number petitions the school board, the board may employ a nurse or a doctor.
h) Oregon - Dental examinations may be provided in districts with a population above 100,000.
i) Oklahoma - Department of Health will provide care if parents cannot afford it.

SAFETY AND HEALTH REQUIREMENTS

STATES	STATE MUST PRESCRIBE REGULATIONS	REQUIREMENTS LOCALLY DETERMINED	PUPIL SERVICES			PHYSICAL EXAMINATION						IMMUNIZATION		
			Infirmary Required	Nurse Required	Doctor Required	Provided By		General	Dental	Visual	Hearing	Mandatory or Discretionary	Provided by	
						Parent	School						Parent	School
ALABAMA	X													
ALASKA	X							X				M		
ARIZONA	X													
ARKANSAS	X			X	X							M		
CALIFORNIA	X	X(a)					X			X	X	M		X
COLORADO		X					X			X	X	M		
CONNECTICUT			X		X		X	X	X	X		D	X	X
DELAWARE	X													
FLORIDA	X		X				X			X	X	D	X	
GEORGIA	X		(c)				X		X	X	X			
HAWAII	D					(d)		X				M		
IDAHO	X	X												
ILLINOIS	(e)						X	X	X	X		M	X	
INDIANA				X	X		X	X	X	X		M	X	
IOWA	X			D										
KANSAS							X		X	X		M	X	(b)
KENTUCKY	X		X	X	X		X	X				M	X	
LOUISIANA												M		X
MAINE		X			X			X		X				
MARYLAND	X							X						
MASSACHUSETTS				X	X			X		X	X	M	X	
MICHIGAN	X					X				X				
MINNESOTA	X							X				M		X
MISSISSIPPI		X												
MISSOURI												M	X	(b)
MONTANA		X		D	D									
NEBRASKA					X		X		X	X	X			
NEVADA	X											M	X	
NEW HAMPSHIRE	X	X(a)					X	X		X	X	M		
NEW JERSEY		X		X	X			X				D		X
NEW MEXICO	X													
NEW YORK	X		X				X	X(f)						
NORTH CAROLINA												M	X	
NORTH DAKOTA	X		X	(g)	(g)									
OHIO		X					X			X	X	M		
OKLAHOMA												M	X	(i)
OREGON							X		X(h)					
PENNSYLVANIA				X					X	X	X			
RHODE ISLAND					X		X		D	X	X	M	X	
SOUTH CAROLINA	X											M		
SOUTH DAKOTA	X													
TENNESSEE							X	X				M		
TEXAS												M		X
UTAH	X						X		X	X	X			
VERMONT	X			X	X		X	X			X	M		
VIRGINIA	X													
WASHINGTON	X		X	X			X			X	X			
WEST VIRGINIA	X			D			X	D				M		X
WISCONSIN			X											
WYOMING														

M Mandatory
D Discretionary

SCHOOL CALENDAR

In almost all states the minimum number of days that a school must be in session is determined by statute. A common minimum is 180 days; Mississippi requires only 155 days of instruction. In South Dakota and West Virginia the statutes fix a maximum number of days that school may be open. About one-third of the states provide that schools or local boards which violate the statutory minimum suffer a loss of state aid. It should be noted that many states calculate state aid on the basis of average daily membership (ADM), so that a school does not lose aid because of the temporary absence of its students for less than the statutory minimum.

Frequently a state statute specifies the length of the school day. The length of the school day usually varies according to grade level. Moreover, significant variations exist among the different states. For example, kindergartens in Montana must offer 2 hours of daily instruction, while the requirement in Texas and Tennessee is 7 hours. In most states the average daily length of classes is 5 or 6 hours.

Some states provide by regulation for the length of particular classes. The minimum length of an average daily class is around 45 minutes; for laboratory classes the length is about 10 minutes more. In Missouri the length of the class period may conform to one of several plans which vary the number of periods and length of classes as devised by the state board.

To fulfill the calendar requirement local boards must normally schedule classes during the week for a nine month period. Prohibitions against year-round schools and Saturday classes are found in some laws.

Description of Headings for Chart on School Calendar

Pupil-Instruction Days - By statute or regulation the state sets the maximum and/or minimum days that a school must be in session. If a school does not meet the state requirements for a calendar year, the state may have some sanction for this violation such as cutting off or reducing state aid (A).

Length of Day - A school must be in session a certain number of hours at each grade level.

Minimum Class Length - The state requires that each regular class period meet for a certain number of minutes each day or a certain number of hours each year.

Minimum Lab Course Length - The state sets separate class length requirements for laboratory courses.

Calendar Prohibitions
1) Year-Round School - A state's school calendar directly or indirectly prohibits the introduction of year-round schools.
2) Saturday School - The state prohibits any school from having classes on Saturdays.

School Calendar - footnotes

a) Idaho - minimum of 177 days in elementary schools.
b) Indiana - loss of accreditation.
c) no state aid to districts possible without enabling legislation.
d) Kentucky - without approval of State Board.
e) Maine - not less than 175 school days, no more than 5 days for in-service training.
f) Massachusetts - local board establishes minimum.
g) Missouri - length of class shall conform to one of the following plans:
    1) 6 periods of 55 minutes
    2) 7 periods of 50-55 minutes
    3) 8 periods of 40-45 minutes
    4) combination of 7 periods which are 40-60 minutes
    5) a weekly schedule providing 250 minutes for library classes and 200 minutes for other classes
h) New Jersey - no limitation on class length.
i) North Carolina - Saturday school prohibited unless the needs of agriculture or other conditions make it desirable.
j) Oregon - class length shall conform to one of the following plans:
    1) 6 periods of 55 minutes
    2) 7 periods of 50 minutes
    3) 8 periods of 45 minutes
k) Rhode Island - no teacher required to teach more than 190 days.
l) Vermont - school can petition to State Board for a waiver of this requirement.

SCHOOL CALENDAR

STATES	PUPIL - INSTRUCTION DAYS					LENGTH OF DAY (in hours) BY GRADE LEVEL				MINIMUM CLASS LENGTH		MINIMUM LAB COURSE LENGTH		CALENDAR PROHIBITIONS	
	Statute	Regulation	Minimum	Maximum	Sanction For Violation					Daily (minutes)	Annual (hours)	Daily (minutes)	Annual (hours)	Year Round · Sch	Saturday School
ALABAMA	X		175			K-12:6				50					
ALASKA	X		180			K-3:4	4-12:5								
ARIZONA	X					1-3:4	4-6:5	7-8:6							
ARKANSAS						K-12:5									
CALIFORNIA	X		175		A	K:4	1-3:5½	4-6:6							
COLORADO	X		172			1-12:5½									
CONNECTICUT	X		180			K:2½	1-12:4								
DELAWARE	X		180			K:2½	1-2:5	3-12:6			120				
FLORIDA	X		180			K:3	1-3:4	4-12:5							
GEORGIA	X					1-3:4½	4-12:6								
HAWAII	X		180							40					
IDAHO	X		180(a)			Primary:4½	above:5				120		145		
ILLINOIS	X		180	185		K:2	1:1	2-12:5							
INDIANA		X	175		(b)	1-2:4½	3-4:5	5-6:5½	7-12:6	50		55			
IOWA	X		180			K-3:4	4-12:5½			55					
KANSAS		X	180				9-12:6			40		55		X(c)	
KENTUCKY	X		185			K:3	1-12:6			45					(d)
LOUISIANA	X		180			K-12:5				55				X	
MAINE	X		180(e)		A										
MARYLAND	X		180			K-12:6									X
MASSACHUSETTS		X	(f)		A	Ele:5	Sec:5½								
MICHIGAN	X		180											X	
MINNESOTA	X		175		A	K:2½	1-3:5	4-8:5½	9-12:6	50		55			
MISSISSIPPI	X		155			K-12:5								X(c)	
MISSOURI	X		174		A	K-12:6				(g)	116	(g)	145		
MONTANA	X		180		A	K:2	1-3:4	4-12:6		45		55			
NEBRASKA	X		175							40		55			
NEVADA		X	180		A						120				
NEW HAMPSHIRE	X		180			1:4½	2-8:5½	7-12:5½							
NEW JERSEY		X	180							(h)					
NEW MEXICO		X				1-3:4½	4-6:5	7-12:5½			120		165		
NEW YORK	X		180		A					40					X
NORTH CAROLINA	X		180			K-12:6									X(i)
NORTH DAKOTA	X		180			K-12:6				40		55			
OHIO	X		180			K:2½	1-6:5	7-12:6							
OKLAHOMA	X	X	180			K:2½	1-12:6			55					X
OREGON		X	175			1-2:3½	4-6:5	7-8:5½	9-12:6	(j)					X
PENNSYLVANIA	X		180		A	K:2½	1-6:5	7-12:5½							X
RHODE ISLAND	X		170	(k)											
SOUTH CAROLINA	X		180		A	K:2½	1:5	2-12:6		50	120				
SOUTH DAKOTA	X		180	190		K-12:5									
TENNESSEE	X		175			K-12:7									
TEXAS	X		180			K-12:7								X(c)	
UTAH	X		180											X(c)	
VERMONT	X		175(l)			1-12:5½									
VIRGINIA	X		180		A	K-6:5	9-12:6			55					
WASHINGTON	X		180			K:2½	1-3:5				120				
WEST VIRGINIA	X		180	185											X
WISCONSIN	X		180		A										
WYOMING	X		175												

A - Loss of State Aid

TEACHER PERSONNEL POLICIES

Every state requires that a teacher possess a certificate in order to teach in its school system. The chart refers only to full-time instructors, not to student or substitute teachers, for whom certification is often unnecessary. When a certified teacher enters into a contract, the amount of his salary is usually specified therein. In most states a legal minimum salary is established, sometimes far below the actual salary earned. In others a state salary schedule, promulgated by statute or regulation, specifies the contract salary of every teacher in the state. Both these categories are illustrated in the chart as determined by the state. If there is no mention in the laws or regulations of a minimum or schedule, or if the laws specifically allow the local board to fix the salary, the chart indicates that the control is local.

Before a teacher achieves professional or career status, he must serve for a probationary period, usually three years. Should the local board decide not to renew his contract during that period, it must, in most states, provide the teacher with adequate notice. Some states also give the teacher the right to a hearing; fewer give him the right to appeal an adverse decision of the board. Sometimes the decision to continue or cancel the teacher's contract is made on the basis of personnel evaluations contained in his file. Most of the states which expressly provide for these evaluations also protect his right of access to the files.

A teacher's employment may also be interrupted if he catches a contagious disease. The right of a school board to suspend a teacher with ill health is made an implied term of contracts in some states; in others, the power probably exists though not specified in the laws or regulations. Though many states do not provide for suspension, many do require a certificate of health to be approved by a licensed physician and for periodic re-examinations.

After the teacher finishes his service for the probationary period, he may achieve tenure or career status. In many states a teacher reaches tenure when the local board fails to cancel his contract after the probationary period. In those states that do not provide for automatic career status, the teacher must negotiate a new contract with the local board. A tenured teacher has benefits in many states not shared by a probationary teacher. Many states permit him to take sabbatical leave, or otherwise pursue studies for professional improvement without jeopardizing his career status. Practically every state protects his right to notice, hearing and appeal for discharge or demotion from his position.

It should be noted that dismissal or demotion will occur only if the board can prove that the teacher has violated the standards of the profession. Some states have created an agency, composed largely of teachers, to formulate guidelines on the standards and ethics of the profession. Half these states give the agency advisory authority only; but half vest the agency with the power to discharge, demote or suspend those who act unprofessionally.

The chart also demonstrates which states require mandatory requirement beyond a certain age. Sometimes a state will permit a local district to fix a retirement age.

Description of Headings for Chart on Teacher Personnel Policies/Employment Practices

Salary - The amount that the teacher earns is subject to state statute, rules, or regulations or to local determination. When the state determines the salary requirements, it is usually to set a minimum salary requirement which district boards may supplement.

Probationary period: This period of employment occurs before the teacher has achieved professional or career status.

1) Length - The duration of the probationary period indicates how long a teacher must be employed before he is eligible for career status.

2) Termination of employment - A teacher may be dismissed from employment if the contracting party complies with the stated statutory procedures: adequate notice of the teacher of the board's decision not to renew the contract; the right to a fact-finding hearing with attendant procedural safeguards; and the right of the aggrieved teacher to appeal.

Teacher's File: The contracting party invariably maintains a record for personnel purposes containing information about the teacher's performance. The two categories indicate whether there is a file which contains evaluations of the teacher's performance and whether the teacher has access to this file.

Health Standards: The state provides by statute or regulation that a teacher must be in good health prior to and during his work in the classroom.

1) Prior certification - The teacher must present an affidavit or certificate signed by a licensed physician as proof of his good health before he will be allowed to teach.

2) Periodic re-examinations - The teacher must periodically furnish additional proof from a physician that he continues to be in good health.

3) Suspension for ill-health - A teacher may be suspended from teaching for the period of time that his health endangers the well-being of his pupils and associates.

Tenured Teachers: This category deals with some of the important features of the tenured or career status of teachers:

1) Automatic status - The teacher automatically achieves professional status when he completes the probationary period and the board does not terminate his contract.

2) Discharge or demotion for cause - The teacher must be accorded certain procedural rights before he can be fired or given a lower position, even if the board has a reason which is valid on its face.

3) Sabbatical leave - The contracting party allows the teacher to interrupt his teaching in order to study or to otherwise improve the quality of his services without dimuition of the benefits of his career status.

Professional Ethics: The state or local agency has established an agency whose function is to maintain the standards of the teaching profession. This agency may have only advisory powers, or it may have the authority to issue regulations and enforce them.

Mandatory Retirement Age: The statutes or regulations contain a stated age after which teachers may no longer perform their duties.

Teacher Personnel Policies/Employment Practices - footnotes

a) Alabama - no certification requirement, though unlawful to employ teachers who have TB.
b) Idaho - renewal automatic when teacher gives notice of intent to accept it.
c) Illinois - probationary period described as three years in School Code of Illinois, Chapter 34 § 84 (1961).
d) Kansas - except on year-to-year consent by the local board.
e) Missouri - three-year probationary period in metropolitan districts.
f) North Carolina - state schedule becomes effective upon failure of local board to adopt a salary schedule.
g) South Carolina - no hearing procedure for dismissed teachers, though case law authorizes judicial review.
h) Utah - districts must adopt procedures for orderly termination of contracts.
j) Washington - right of appeal to intermediate school district, superintendent of public instruction and superior court.
k) Wisconsin - private conference with board.

TEACHER PERSONNEL POLICIES

STATES	SALARY		PROBATIONARY PERIOD				TEACHER'S FILE		HEALTH STANDARDS		
				TERMINATION OF EMPLOYMENT							
	State	Local	Length (in yrs.)	Notice	Hearing	Appeal	Personnel Evaluations	Access Of Teacher	Prior Certification	Periodic Re-exams	Suspension For Ill Health
ALABAMA	X		3	X					(a)	X	
ALASKA	X		2	X	X						
ARIZONA									X	X	
ARKANSAS	X			X	X				X		
CALIFORNIA	X		4	X	X	X			X	X	
COLORADO		X	3	X							
CONNECTICUT		X		X	X		X	X			
DELAWARE	X		3								
FLORIDA		X	3				X	X			
GEORGIA	X		3								
HAWAII	X		2								
IDAHO	X		3	X	X						
ILLINOIS	X		2(c)	X					X	X	
INDIANA	X		5								
IOWA		X		X	X					X	
KANSAS		X	3	X			X	X	X	X	
KENTUCKY	X		3								
LOUISIANA	X		3	X							
MAINE	X										
MARYLAND	X		2						X	X	
MASSACHUSETTS	X		3	X					X	X	X
MICHIGAN		X	2	X				X			
MINNESOTA		X	3	X	X		X	X			X
MISSISSIPPI	X								X	X	
MISSOURI		X	5(e)	X			X		X		
MONTANA			3	X							
NEBRASKA		X	3				X	X			
NEVADA		X	3	X							
NEW HAMPSHIRE	X			X	X	X					
NEW JERSEY	X		3	X							
NEW MEXICO	X		3	X			X		X	X	
NEW YORK	X		3	X							
NORTH CAROLINA		X(f)	3	X			X	X	X	X	
NORTH DAKOTA	X			X	X						
OHIO	X		3	X	X	X					
OKLAHOMA		X									
OREGON	X		3	X			X	X	X		X
PENNSYLVANIA	X		2						X	X	X
RHODE ISLAND		X	3	X	X	X					
SOUTH CAROLINA	X(g)										
SOUTH DAKOTA		X	2	X					X	X	X
TENNESSEE	X		3							X	
TEXAS	X			X	X				X		
UTAH	X		(h)	X	X				(i)		
VERMONT	X								X		
VIRGINIA	X		3	X							
WASHINGTON		X		X	X	X(j)			X		
WEST VIRGINIA	X		3								
WISCONSIN	X		3	X	(k)				X		
WYOMING		X	3								

TEACHER PERSONNEL POLICIES

STATES	TENURED TEACHERS					PROFESSIONAL ETHICS			MANDATORY RETIREMENT AGE
	Automatic Status	DISCHARGE OR DEMOTION FOR CAUSE			Sabbatical Leave	Name of Agency ‡			
		Notice	Hearing	Appeal*			Advisory	Regulatory	
ALABAMA	X	X	X	STC	X				D
ALASKA	X	X	X	Court	X	1		X	65
ARIZONA		X	X	Court					
ARKANSAS		X	X						72
CALIFORNIA		X	X		X	2		X	
COLORADO	X	X	X	Court		3			65
CONNECTICUT	X	X	X	Court					
DELAWARE		X	X	Court	X				
FLORIDA		X	X	SDE	X	3		X	70
GEORGIA						3	x		
HAWAII	X	X	X		X				65
IDAHO	(b)	X	X			4		X	65
ILLINOIS	X	X	X	Court	X				65
INDIANA	X	X	X	Court					66
IOWA						1		X	
KANSAS		X	X						65(d)
KENTUCKY	X								65
LOUISIANA		X	X	Court	X				
MAINE									
MARYLAND	X	X	X	SBE					
MASSACHUSETTS		X	X	Court	X				
MICHIGAN	X	X	X	STC	X				
MINNESOTA	X	X	X	Court	X	1	x		D
MISSISSIPPI		X	X	Court					
MISSOURI		X	X	Court					
MONTANA	X	X	X	CS	X				
NEBRASKA	X					3	x		60
NEVADA	X	X	X			5	x		
NEW HAMPSHIRE									
NEW JERSEY		X	X	SBE	X				
NEW MEXICO	X	X	X	SBE	X				
NEW YORK		X	X	CE	X				
NORTH CAROLINA		X	X						
NORTH DAKOTA				Court		6		X	D
OHIO	X	X	X	Court	X				
OKLAHOMA		X	X	SBE		3		X	
OREGON		X	X	Court		7	x		65
PENNSYLVANIA		X	X	SPI	X	4	x		65 D
RHODE ISLAND		X	X	SDE					
SOUTH CAROLINA				Court					
SOUTH DAKOTA		X	X			3		X	
TENNESSEE		X	X	Court	X				65
TEXAS		X	X	SBE		6		X	
UTAH		X	X			3	x		
VERMONT		X	X	BSD					
VIRGINIA	X	X	X						
WASHINGTON									
WEST VIRGINIA		X	X		X				
WISCONSIN	X	X	X						
WYOMING		X	X						

*Abbreviations

STC - State Tenure Commission
SDE - State Department of Education
SBE - State Board of Education
CS - County Superintendent
CE - Commissioner of Education
SPI - Superintendent of Public Instruction
BSD - Board of School Directors
D - Discretion

‡ Legend

[1] Professional Teaching Practices Commission
[2] Teachers' Professional Standards Commission
[3] Professional Practices Commission
[4] Professional Standards Commission
[5] Professional Review Commission
[6] Teachers' Professional Practices Commission
[7] Teacher Standards and Practices Commission

TEXTBOOKS

The adoption of textbooks occurs at the local level and the decision process is usually subject to some state restrictions. In most states the district board selects its textbooks from a list prepared by the state education agency. This state approved list contains recommendations for several books for each course rather than a specific book for each course that must be adopted. The state education agency draws up this list in most states; however, in a few states an independent state textbook committee sets up the approved list of textbooks. Several states which use the state approved list allow the district boards to adopt supplementary texts for a course if they follow certain state standards. Often these state standards are not articulated; rather, the state agency reviews the proposed texts on an individual basis.

In several states, the state education agency does not oversee the local selection process and a district board may adopt any textbook. Even in these states, however, the state agency, as a service, will generally provide the district with a recommended list. In New York, the state places no restrictions on a district's selection process other than a general prohibition against subversive texts.

In other states such as North Dakota the district board must adopt the basal text for every course from the state approved list, but the adoption of any additional instructional material does not require state approval.

About half the states have extensive sections of the code devoted to the regulation of textbook contracts with publishers. To prevent the use of out-of-date textbooks many states require that the list of approved textbooks be reviewed every few years.

Most states require that textbooks be supplied free to all students. Some states refine that requirement to account for years when the state may have alloted insufficient money to provide free textbooks to all students. Under these circumstances, these states require that elementary grades be provided with free textbooks before secondary grades. In some states the district board must provide free textbooks to all indigent pupils, but for all remaining pupils the district board retains the discretion of providing free books. It should be noted that the absence of a provision for free textbooks does not necessarily mean that they are not free since the state constitution may require it.

Description of Headings for Chart on Textbooks

Textbooks Supplied Free - The State requires that textbooks be supplied free to all students; otherwise, the district board has the discretion of supplying textbooks free.

Local Selection -

1) Without State Approval - The district may select all (X) or part (P) of its textbooks without state's approval.

2) From State Approved List - The district board may select all (X) or part (P) of its textbooks from the state's list of approved textbooks.

3) Within State Standards - The district board must select all (X) or part (P) of its textbooks in accordance with certain state standards (i.e., with approval of specific textbooks).

Periodic Review of State Approved List - This number refers to the maximum number of years a textbook may remain on the state approved list without being reviewed for suitability.

State Regulation of Textbook Contracts - By statute the state sets controls on contracts for textbooks.

Textbooks - footnotes

a) Connecticut - town board may change textbooks only by 2/3 vote.
b) Georgia - if there are insufficient funds to provide textbooks to all grades, free textbooks should be distributed to lower grades first.
c) Illinois - free textbooks provided upon majority vote of the voters of the district.
d) Kansas - free textbooks supplied upon written application by parent unable to pay.
e) Missouri - maximum contract length for textbooks.
f) New York - subject to a general prohibition of subversive texts.
g) New York - free to grades 7-12 only.
h) North Dakota - free textbooks provided upon 2/3 vote by voters of the district.
i) Ohio - districts may not change or revise textbooks within four years of adoption.
j) Rhode Island - districts may not change textbooks within three years of adoption. List changed by majority vote of school committee.
k) Virginia - mandatory free textbooks for indigents in county districts, discretionary in urban districts.

TEXT BOOKS

STATES	TEXT BOOKS SUPPLIED FREE	LOCAL SELECTION			PERIODIC REVIEW OF STATE LIST (in years)	STATE REGULATION OF TEXTBOOK CONTRACTS
		Without State Approval	From State Approved List	Within State Standards		
ALABAMA			X		4	X
ALASKA			X			
ARIZONA	X	P	P		5	X
ARKANSAS	X		X			
CALIFORNIA	X		X		2	X
COLORADO	P	X				
CONNECTICUT	X	X			5(a)	
DELAWARE	X			P		X
FLORIDA	X		P	P		X
GEORGIA	X(b)		X			
HAWAII						
IDAHO	X		X			
ILLINOIS	X(c)		X			
INDIANA	X		X		5	X
IOSA	X	X				
KANSAS			X			
KENTUCKY	X		P	P	4	X
LOUISIANA	X		X		5	
MAINE	X	X				
MARYLAND	X	X				X
MASSACHUSETTS	X	X				X
MICHIGAN	X		P	P		
MINNESOTA	X	P		P		X
MISSISSIPPI	X		X			X
MISSOURI	X		X		5(e)	X
MONTANA	X		X		10	
NEBRASKA	X	X			5	
NEVADA	X		X			
NEW HAMPSHIRE	X					
NEW JERSEY	X			P		
NEW MEXICO	X	P	P	P		X
NEW YORK	X(g)	X(f)				
NORTH CAROLINA	X		X			
NORTH DAKOTA	X(h)	P	P			X
OHIO	X	P	P		(i)	X
OKLAHOMA	X	P	P		4	X
OREGON	X		P	P	6	X
PENNYSLVANIA	X	X				
RHODE ISLAND	X		X		3(j)	
SOUTH CAROLINA	X		X			X
SOUTH DAKOTA	X			X	3	
TENNESSEE	X		X		3-5	X
TEXAS			X			X
UTAH	X		X		4	
VERMONT						
VIRGINIA	X(k)		P	P		
WASHINGTON			P	P		
WEST VIRGINIA	P		X		5	X
WISCONSIN	P		X			
WYOMI[illegible]	X	X				

P - Partial

CHAPTER III

DESCRIPTION OF PROJECT OPERATIONS

Staff

In addition to an attorney working full-time as project director, the staff consisted of a second part-time attorney, a full-time research assistant and a full-time secretary. The two attorneys who staff the Lawyers' Committee's School Finance Project gave generously of their time and experience, and the Ford Foundation, which funds the School Finance Project, provided the financial resources for several part-time law students who did the lion's share of the project's staff work. Although each staff member contributed in some degree to each aspect of the project, the research design, the initial data collection and the daily supervising, coordinating and reviewing of the work were done by the project director and the other attorneys. The research assistant and law students did most of the follow-up data collection that was necessary to compile complete information for the states and the actual preparation of the summaries and the comparative charts.

Advisory Committee

In addition to the staff, the project had the assistance and guidance of an Advisory Committee that met several times during the course of the study. The members of the committee are: William Colman, educational consultant to the Education Commission of the States formerly with the Advisory Commission on Intergovernmental Relations; Dr. Luvern Cunningham, Professor of Education and Public Policy at Ohio State University and Executive Director of the Detroit Education Task Force; Dr. Carl Marburger, Director of the National Committee for Citizens in Education and former Commissioner of Education of the State of New Jersey; Ray Peterson, Director of Federal Liaison for the Council of Chief State School Officers; Paul Tractenberg, Professor of Law at Rutgers University and Director of the Education Law Center. The Advisory Committee provided the staff with a variety of different perspectives, advice and ideas on how to conduct the study, as well as invaluable contacts in the education and legal communities.

Procedures

The procedure that was followed in conducting the project was a fairly straightforward one, and consisted basically of (a) collecting and organizing materials, (2) developing a framework for summarizing the information found in the materials, and (3) generating a structure in which to analyze some of that information.

At the outset, the project began collecting materials via a series of general solicitation letters. The first was sent on our behalf to the chief state school officers of the fifty states by Byron Hansford, Executive Director of the Council of Chief State School Officers. The letter requested the chiefs to send us the name of an individual in each State Department of Education who could serve as a contact for our project and asked that individual to send us copies of those legal materials that contained state education standards.*/ We specifically requested copies of the school laws, rules and regulations of the State Board or State Department of Education and any other administrative materials interpreting or supplementing the legislation. We also asked for any additional materials such as study reports, policy statements and guidelines or procedural manuals, that would explain the ways in which specific programs served to implement these standards. This letter was followed by a second general letter from the project director which was sent directly to the contact person where one had been named, or to the chief if we had not yet received the name of a contact.

Once we received an initial response from these letters, we compared the materials received from different states to determine what kinds of materials were generally available and contained the kinds of standards that we were looking for. We were then able to recontact states and make more specific requests for materials that had not been included in their initial responses.

Although we originally anticipated that all the materials that would be needed could be assembled during the first three months of the project, we had to continue making requests for materials throughout the period of the study, either because our earlier requests were not specific enough or because we received an incomplete response or none at all. In a few cases we received no materials at all from the states and we had to rely solely on the statutes that were available in local law libraries. The summaries for these states contain only statutory materials, although one should not infer from this that administrative rules and regulations do not exist.

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*/ A list of these contact people is contained in Appendix II of this report.

Once the available materials were assembled a decision had to be made concerning those that would be included in the summaries. From the outset our goal was to isolate the legally enforceable standards for education that existed in each state. Therefore we limited our analysis to those materials that we thought would have legal effect and either could be enforced in a court or administrative proceeding, or had specific sanctions for failure to comply, for instance, a state-aid cutoff. In many states it was difficult to draw a line between what was an enforceable standard and what was merely a suggested policy or goal. As a result, some of the provisions that were included may be extraneous, although we attempted to exclude, as much as possible, that which was hortatory or simply descriptive. Those provisions included in the summaries were drawn primarily from the school laws, education titles of state administrative codes, compilations of rules and regulations of state agencies and officials, compilations of standards in specific areas (e.g. teacher certification) or for specific purposes (e.g. accreditation of schools).

Although there are many statutes that are found outside the education code that will nevertheless have an impact on a state's education system (e.g. general building code standards, powers of local governments, etc.) these materials were not included in the summaries unless they were specifically brought to our attention. Also, interpretive materials (e.g. judicial opinions, opinions of the attorney general or commissioner of education) were not included as a general matter after we discovered that limitations on time and resources would have precluded examining these materials in any but the most superficial way. We strongly recommend, however, that anyone using the summaries as a basis for further research carefully examine these materials.

In choosing the areas to be summarized, we tried to find those subjects that would be generally accepted as important elements in defining an adequate education. These choices obviously involved some value judgments on the part of the staff with the assistance of the Advisory Committee. The final list of subject areas contained some categories that were very broad, some that were narrow, many that overlapped. Also, in reviewing the summaries it became obvious that the titles assigned to the areas were often ambiguous, so that staff members summarizing a specific area for one state frequently did not include precisely the same kind of information as another staff member summarizing the same area for a different state. This was a problem inherent in any project of this scope, where the daily staff work must, of necessity, be done by more than one person.

In the process of summarizing the materials, the staff made use of indexes, tables of contents, cross-references in the text, and, where these were inadequate, went through the materials provision-by-provision, categorizing them according to the areas that had been selected for study. For those areas that overlapped, the summaries contained cross-references to avoid duplication and to insure that all relevant provisions would be included.

In addition to the actual summary of the provisions, an attempt was made to analyze the standard contained therein by noting: (1) the person or agency that was responsible for carrying out the requirement or implementing the standard; (2) characterizations of the kind of responsibility the person or agency had been delegated; */ and (3) whether a specific sanction for non-compliance with the requirement was included in the provision. We felt that this kind of analysis would be helpful in making any overall judgments about the capacity of a state's education system to enforce its present standards and in assigning responsibility for implementing new standards that might be developed in the future.

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*/ These characterizations were described as (a) Mandatory duty, (b) Advisory role, (c) Supervisory or Monitoring function, (d) Discretionary decision.

CHAPTER IV

LOOKING BACKWARD

Despite more than a year's worth of work, it is difficult to draw many substantive conclusions about state education standards from the results of our study. This is a result of both the broad and diverse scope of the project task as well as the basically descriptive nature of the products.

The most concrete conclusion, and one that was surprising to at least some members of the staff, was simply that the role of the state legislatures and educational agencies, in most instances, has been far less potent than one might imagine in developing and enforcing legal standards for quality education. While state statutes and regulations are voluminous, a fact that is obvious from our thousands of pages of summary material, nevertheless, we found relatively few states that had constructed any kind of consistent and coherent state-wide scheme for delivering public education services on a basis that could be considered equitable, efficient and effective. It seems obvious from our study that in most states, the major decisions affecting the quality of a particular child's education are made, not in the state capitol, but in the offices of local education agencies.

We realize, of course, that competing values are at stake in the development of any such set of standards. Community control of educational policy and decision-making, rights of individual parents and students and collective bargaining for teachers, although by no means incompatible with state-wide standards, nevertheless may often impose constraints on the ability of the state to develop a normative scheme. Despite these potential limitations, each state still does have some obligation under its own constitution to provide an educational system to meet the needs of its students. Along with this obligation goes a concomitant duty to provide, at a minimum, a set of standards that will insure that every child receives an education that is adequate according to some state-defined definition. We feel that states can and should do much more than that without compromising unnecessarily the ability of local education systems to accommodate the special conditions, needs and values of their own students and community.

APPENDIX I

BIBLIOGRAPHY OF FIFTY STATE STUDIES

Accountability

1) Characteristics of and Proposed Models for State Accountability Legislation
2) Education in FOCUS: A Collection of State Goals for Elementary and Secondary Education (1973)
3) Indicators and Statewide Assessment (1974)
4) Legislation by the States: Accountability and Assessment in Education (1973)
5) State Goals for Elementary and Secondary Education (1972)
Copies available from: Cooperative Accountability Project; Colorado Department of Education; 1362 Lincoln Street, Denver, Colorado 80203

Accreditation

Approval and Accreditation of Public Schools - Responsibilities and Services of State Departments of Education, by William B. Rich, United States Office of Education, DHEW Publication No. — OE-20013, Misc. No. 36 (1960)

Assessment

1) Legislation and Achievements: Accountability Assessment and Testing - 1972, by Doris M. Ross. Copies available from Education Commission of the States; 300 Lincoln Tower; 1860 Lincoln Street; Denver, Colorado 80203

2) State Educational Assessment Programs - (1973); Center for Statewide Educational Assessment at Educational Testing Service; Princeton, New Jersey 08540

General

Education in the States: Historical Development and Outlook, National Education Association (1969). Study available from: National Education Association, 1201 Sixteenth Street, N.W., Washington, D.C. 20036

Governance

State Governance Models for the Public Schools (1974), by Roald F. Campbell and Tim L. Mazzoni, Jr. Study available from Educational Governance Project; Ohio State University; 29 West Woodruff Avenue; Columbus, Ohio 43210

Individual Pupil Records

Students, Parents and School Records, National Committee for Citizens in Education (1974). Study available from: NCCE, Wilde Lake Village Green, Columbia, Maryland

School Finance

Public School Finance Programs, 1971-1972, by Thomas L. Johns, United States Office of Education, DHEW Publication No. (OE) 73-00001.

Special Education

1) Analysis of State Laws for Gifted Children
2) Handicapped Children Redefined - Legal Eligibility for Services Expanded
3) Legal Requirements for Class Sizes and Caseloads for Special Education Services
4) State Certification Requirements for Education of the Handicapped
5) State Laws and Administrative Procedures Relating to the Placement of Exceptional Children, Council for Exceptional Children, (1972-1973). Studies available from: State-Federal Information Clearinghouse for Exceptional Children; The Council for Exceptional Children; 1411 S. Jefferson Davis Highway; Suite 900; Arlington, Virginia 22202

State Department of Education

State Departments of Education, State Boards of Education, and Chief State School Officers, by Sam P. Harris, DHEW Publication No. (OE) 73-07400 (1973). Study available from: Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402

Teacher Certification

Standards for State Approval of Teacher Education, National Association of State Directors of Teacher Education and Certification (1973). Study available from: Utah State Board of Education, Division of Instructional Support Services, Salt Lake City, Utah 84111.

Vocational Education

Evaluating Vocational Education — Policies and Plans for the 1970's, with an Annotated Bibliography, by Leonard A. Lecht (1974). Study available from Praeger Publishers; 111 Fourth Avenue, New York, N.Y. 10003

APPENDIX II

LIST OF STATE CONTACTS

The following list contains the names of the person in each state named by the Chief State School Officer to be the contact for our study. The staff would like to acknowledge and express our appreciation for their cooperation and assitance in providing the project with the materials and information that made the study possible.

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APPENDIX III

BIBLIOGRAPHY OF SOURCE MATERIALS FOR STATE SUMMARIES

ALABAMA

1) Public Schools Laws of Alabama, Annotated, Michie Co. (1970).
2) 1973 Pocket Supplement to Public School Laws.
3) Accreditation Standards for High Schools, Bulletin No. 13, Dept. of Education (1973).
4) Certification of Alabama Teachers, Bulletin No. 14, Dept. of Education (1966).

ALASKA

1) Compiled School Laws of Alaska, Department of Education (1974).
2) Alaska Administrative Code, State Department of Education (1973).
3) Administrative Manual in Secondary Schools, Alaska Department of Education (1971).
4) Manual for Alaska School Boards, Alaska Department of Education (1973).
5) Minimum State Guidelines for Student Rights, Alaska Department of Education (1974).

ARIZONA

1) School Laws and Pocket Supplement (1973).
2) Rules and Regulations Governing the Certification of Teachers and Administrators in Arizona, State Department of Education (1973).
3) Rules and Regulations Concerning the Role and Function of the State Board of Education.
4) Administrator's Guide: Programs for Exceptional Children, Division of Special Education (1973-74).
5) Report of the State Educational Needs Assessment Project of Arizona, Bureau of Educational Research and Services (August 1970).
6) Report of Student Attainment on the Crary American History Test, Office of Planning and Evaluation, Department of Education (1973).
7) Memorandum, Department of Education, Bilingual Instruction and Special English Training (1973).
8) Free Enterprise Syllabus, Department of Education (1972).
9) David Kret, Revolution in School Finance, Neologics (1972).

ARKANSAS

1) School Laws of Arkansas and Pocket Supplement (1973).

CALIFORNIA

1) West's Annotated California Codes, West Publishing Co. (1969), and Cumulative Pocket Part for use in 1974.
2) California Administrative Code, Office of Administrative Hearings (1973).

COLORADO

1) Colorado School Laws of 1971, Department of Education.

2) Pocket Supplement (1973).

3) Handbook for Colorado School Board Members, Department of Education (1964).

CONNECTICUT

1) General Statutes of Connecticut, Revision of 1958, Volume 11, Published by Authority of the State (1973).

2) "The Educational Interest of the State," A Position Paper, Interpretation of Section 10-4a and 10-4b, General Statutes (1969).

DELAWARE

1) A Compilation of School Laws of the State of Delaware, State Department of Public Instruction (1971).

2) Handbook for Secondary Schools, State Department of Public Instruction (1970).

3) Handbook for Elementary Schools, State Department of Public Instruction (1973).

4) Certification of Professional Public School Personnel, State Department of Public Instruction (1974).

5) Policies, Rules, Regulations, and Guidelines Governing School Transportation, State Department of Public Instruction (1969).

6) School Construction Formulas - A Guide for Space Allowances, Department of Public Instruction (1969).

FLORIDA

1) Florida School Laws, State Department of Education (1972).

2) Rules of the State Board of Education of Florida, Department of Education (1970).

3) Elementary and Secondary Standards, State Department of Education (1971).

GEORGIA

1) Georgia School Laws, Office of the State Superintendent of Schools, Department of Education (1972).

2) 1973 Supplement to Georgia School Laws.

3) 1973 Standards for Public Schools of Georgia, State Board of Education.

4) Teacher Certification in Georgia, Office of Instructional Services, Department of Education (1971).

5) Policies and Executive Procedures, State Board of Education (1973).

HAWAII

1) Laws Relating to the Department of Education, State of Hawaii (1969).
2) 1973 Supplement.
3) Policies and Regulations, Department of Education (1970).
4) Certification Requirements of Teachers in the Public Schools of Hawaii (1971).

IDAHO

1) Idaho School Code and 1973 Pocket Supplement.
2) Standards and Recommendations for Elementary Schools, Department of Education (1962).
3) Accreditation Standards and Procedures for Secondary Schools, Department of Education (1970).
4) Manual for School Building Planning, Department of Education (1972).
5) Certification of Professional Personnel, Department of Education (1972).
6) School Transportation Manual, State Board of Education (1972).

ILLINOIS

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